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NOTICE

The undermentioned Gazettes of India extraordinary were published upto 12th December 1958:—

Issue No.	No. and date	Issued by	Subject
243-A	S.O. 2558-A, dated 5th December, 1958.	Ministry of Transport and Communications,	Appointment of Shri B. V. Vagh, as a member of the Inter-State Transport Commission.
245	S.O. 2560, dated 6th December, 1958.	Election Commission, India,	Election petition No. 451 of 1957.
246	S.O. 2561, dated 6th December, 1958.	Do.	Amendment in Notification No. 434/6/56 (I), dated 7th January 1957.
247	S.O. 2562, dated 6th December, 1958.	Do.	List of contesting candidates in the election to the House of the People from the Katihar Constituency.
248	S.O. 2563, dated 10th December, 1958.	Do.	Call to elect a person to fill the vacancy in the House of the People from the Nagpur Parliamentary Constituency in the State of Bombay.
	S. O. 2564, dated 10th December, 1958.	Do.	Appointment of dates for the bye-election in the Nagpur Parliamentary Constituency, Bombay.
	S.O. 2565, dated 10th December, 1958.	Do.	Fixation of hours for the election to the House of the People from the Nagpur Constituency.
249	S.O. 2563, dated 11th December, 1958.	Do.	Direction that voting by marking the ballot paper shall be followed in the bye-election to the House of the People from the Nagpur Constituency.

Issue No.	No. and date	Issued by	Subject
250	S.O. 2604, dated 10th December, 1958.	Ministry of Home Affairs.	Amendment to Notification No. S.O. 2297, dated 3rd November, 1958.
251	S.O. 2605, dated 12th December, 1958.	Ministry of Information and Broadcasting.	Certification of films specified therein.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section(ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 6th December, 1958

S.O. 2609.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby directs that the following further amendment shall be made in its notification No. 434/10/56(2), dated the 7th January, 1957, namely:—

In the Table appended to the said notification, for the entry numbered 278, the following shall be substituted:—

"278. Bhatinda

(i) Revenue Assistant, Bhatinda.

(ii) Sub-Divisional Officer, Barnala."

2. The Election Commission's notification No. 434/10/56(2) dated the 13th January, 1957, is hereby cancelled.

[No. 434/10/58(2).]

By order,

S. C. ROY, Secy.

MINISTRY OF LAW

(Department of Legal Affairs)

New Delhi, the 11th December 1958

S.O. 2610.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that every Indemnity Bond to be executed in Hongkong by any person in connection with payment of compensation with respect to cargoes owned by any Indian or his principals in Japan at the time of the outbreak of the Second World War, shall be accepted on behalf of the President by the Ambassador of India in Japan.

[No. F.44(9)/58-J.]

P. K. BOSE, Dy. Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 10th December 1958

S.O. 2611.—Shri M. Subramanyam, I.A.S., formerly Deputy Secretary, Ministry of Defence, Government of India, has been appointed as the Secretary, General

Administration Department, Government of Pondicherry with effect from forenoon of the 15th November, 1958 *vice* Shri K. S. Seshan.

[No. 40-5/58-Eur.W.]

S.O. 2612.—Shri M. U. Mulk, IPS has been appointed as the Inspector General of Police, Pondicherry State *vice* Shri M. J. Holmes, IPS with effect from forenoon of the 9th October, 1958.

[No. 40-46/58-Eur.W.]

A. DAS GUPTA, Under Secy.

MINISTRY OF FINANCE

(Department of Expenditure)

New Delhi-2, the 8th December, 1958.

S.O. 2613.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution and after consultation with the Comptroller and Auditor-General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby makes the following further amendment in the Fundamental Rules, namely:—

In sub-rule (1) of rule 29 of the said Rules, for the words "it shall operate", the words "the period of reduction shall operate" shall be substituted.

[No. 2(57)-Est.III/58.]

K. S. GANAPATI, Dy. Secy.

(Department of Expenditure)

New Delhi, the 20th December 1958

S.O. 2614.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, and in supersession of rules and orders relating to matters covered by these rules, the President hereby makes the following rules for the delegation of financial powers, namely,—

1. Short title and commencement.—(1) These rules may be called the Delegation of Financial Powers Rules, 1958.

(2) They shall come into force at once.

2. Definitions.—In these rules, unless the context otherwise requires—

- (a) "Administrator" means an Administrator of a Union territory and includes the Governor of Assam acting as Agent to the President in respect of the North East Frontier Area and the Naga Hills—Tuensang Area;
- (b) "appropriation" means the assignment, to meet specified expenditure, of funds included in a primary unit of appropriation;
- (c) "Department of the Central Government" means a Ministry or a Department of the Central Government as notified from time to time and includes the Planning Commission, the Department of Parliamentary Affairs, the President's Secretariat, the Vice-President's Secretariat, the Cabinet Secretariat, the Prime Minister's Secretariat and the Partition Secretariat;
- (d) "Finance Ministry" means the Finance Ministry of the Central Government;
- (e) "Head of a Department" in relation to an office or offices under its administrative control, means an authority specified in Schedule I to these rules;
- (f) "North East Frontier Area" means North East Frontier Tract including Balipara Frontier Tract, Tirap Frontier District, Abor Hills District and Misimi Hills District;

- (g) "primary unit of appropriation" means a primary unit of appropriation referred to in rule 6;
- (h) "public works" means civil works and irrigation, navigation, embankment and drainage works;
- (i) "re-appropriation" means the transfer of funds from one primary unit of appropriation to another such unit; and
- (j) "subordinate authority" means a Department of the Central Government or any authority subordinate to the President.

3. General limitations on power to sanction expenditure.—(1) It is a primary condition of the exercise of all financial powers that public revenues may be spent only on legitimate objects of public expenditure.

(2) A subordinate authority may sanction expenditure or advances of public money in those cases only in which it is authorised to do so by—

- (a) the provisions of any law for the time being in force;
- (b) these or any other rules issued by, or with the approval of the President; or
- (c) any general or special order of the President or other competent authority.

(3) Nothing contained in sub-rule (2) shall empower any subordinate authority to sanction without the previous consent of the Finance Ministry any expenditure which involves the introduction of a new principle or practice likely to lead to increased expenditure in future.

(4) The exercise by a subordinate authority of the power to sanction expenditure is subject to the observance of any general or special direction which the authority delegating or re-delegating such power may issue from time to time.

4. Effect of sanction.—(1) No expenditure shall be incurred against a sanction unless funds are made available to meet the expenditure by valid appropriation or re-appropriation.

(2) A sanction to recurring expenditure becomes operative when funds to meet the expenditure of the first year are made available by valid appropriation or re-appropriation and remains effective for each subsequent year subject to appropriation in such years and subject also to the terms of the sanction.

5. Provision of funds by Parliament.—Demands for Grants and Appropriations for charged expenditure are presented to Parliament on behalf of the appropriate Ministry or authority concerned. After the Demands have been voted and the necessary Appropriation Act passed by Parliament the amounts so authorised become available to the Ministry or authority concerned for appropriation to meet sanctioned expenditure.

6. Primary units of appropriation.—(1) A Grant or Appropriation for charged expenditure is distributed by sub-heads under which it shall be accounted for. Each such sub-head constitutes a primary unit of appropriation. The primary unit may include provision for both voted and charged expenditure and in that case the amount of each is shown separately.

(2) Primary units of appropriation shall be some or all of the following:—

- Pay of Officers.
- Pay of Establishments.
- Allowances and Honoraria.
- Other Charges.
- Grants-in-aid, Contributions, and Donations.
- Original Works—Major Works.
- Original Works—Minor Works.
- Extensions and Improvements.
- Repairs and Maintenance.
- Tools and Plant.
- Assignments and Compensations.
- Establishment Charges payable to other Governments, departments, etc..

Reserve.

Suspense.

Expenditure in England.

Loss or Gain by Exchange.

(3) The Finance Ministry may add to the primary units specified in sub-rule (2) any other primary units or prescribe an entirely different set of such units.

7. Allotment of funds.—The Ministry or authority on whose behalf a Grant or Appropriation for charged expenditure is authorised by Parliament shall distribute the sanctioned funds, where necessary, among the controlling and disbursing officers subordinate to it. Subject to any special rules or orders issued by the President, the whole or part of the provision under a primary unit may be placed at the disposal of a controlling or a disbursing officer, or the primary unit may be broken into a number of secondary units and the provision under any of these, wholly or in part, may be placed at his disposal.

8. Appropriation and re-appropriation—general restrictions.—(1) Funds shall not be appropriated or re-appropriated to meet expenditure which has not been sanctioned by an authority competent to sanction it.

(2) Funds provided for charged expenditure shall not be appropriated or re-appropriated to meet votable expenditure and funds provided for voted expenditure shall not be appropriated or re-appropriated to meet charged expenditure.

(3) No re-appropriation shall be made from one Grant or Appropriation for charged expenditure to another Grant or Appropriation for charged expenditure.

(4) Funds shall not be appropriated or re-appropriated to meet expenditure on a new service not contemplated in the budget as approved by Parliament.

(5) Expenditure on works shall be subject to the following further conditions, namely:—

(a) Funds shall not be appropriated or re-appropriated to any work which has not received administrative approval and technical sanction as prescribed by rules from time to time.

(b) The amount appropriated to any work shall not, save with the previous consent of the Finance Ministry, exceed the amount approved or sanctioned for that work by a sum greater than the excess which may be authorised under the rules referred to in clause (a).

(c) Save with the previous consent of the Finance Ministry, no re-appropriation shall be made from the primary unit "Major Works" to any other unit.

(6) Without the previous consent of the Finance Ministry, no re-appropriation shall be made—

(a) from and to the provision for Secret Service expenditure;

(b) so as to augment the provision under the primary unit "Pay of Officers" and "Pay of Establishments";

(c) subject to the provision of clause (b), between the primary units under which provision is made for a scheme, which involves augmenting the provision under any such unit, by more than 5 per cent. or rupees one lakh, whichever is less; and

(d) from the provision made for a scheme to meet expenditure for any other purpose.

(7) Nothing contained in clauses (c) and (d) of sub-rule (6) shall apply to "works" included in the Civil Works budget.

9. Creation of posts.—(1) Notwithstanding anything contained in these rules, no post shall be created—

(a) in the Secretariat office of a Department of the Central Government, unless there exists in that office a post of a similar character on a rate or scale of pay which has been approved by the President;

(b) in any other office or department unless there exists in that office or department a post of a similar character on a rate or scale of pay approved by the President;

(c) in contravention of the instructions regulating staff composition and work standards;

(d) unless funds to meet the cost of the post, if temporary, can be found by valid appropriation or re-appropriation from within the provision placed at the disposal of the authority concerned;

(e) permanently, unless permanent recurring saving is available to meet its cost or funds have been specifically included in the budget for the purpose.

(2) For the purposes of clause (b) of sub-rule (1), "department" means all or any of the offices under the administrative control of the Head of a Department.

(3) The power conferred on a subordinate authority to create permanent or temporary posts shall not, unless otherwise directed by the President, be exercised in respect of any service unless that service is under the control of that authority.

(4) Notwithstanding anything contained in clause (b) of sub-rule (1), an Administrator of a territory specified in column 1 of the table below may also create a post in such territory on a rate or scale of pay applicable to a post carrying similar or equal duties and responsibilities in the State shown against that territory in column 2 of the said table:

Provided that such post shall not be created on such rate or scale of pay if there exists in the same territory a post of the same character, the rate or scale of pay of which has been approved by the President.

THE TABLE

Territory	State
Himachal Pradesh	Punjab
Delhi	Punjab
Manipur	Assam
Tripura	West Bengal
North East Frontier Area	Assam
Naga Hills—Tuensang Area	

10. Powers of subordinate authorities.—(1) Subject to the provisions of these rules, the Departments of the Central Government, Administrators and Heads of Departments shall, in relation to creation of permanent posts, creation of temporary posts, appropriation and re-appropriation, incurring of contingent expenditure, incurring of miscellaneous expenditure and write off of losses, have the powers respectively specified in Schedules II, III, IV, V, VI and VII:

Provided that nothing contained in these Schedules shall apply to Government of India's representatives abroad.

(2) The President may by general or special order confer enhanced powers upon an Administrator or Head of a Department in respect of any matters specified in Schedules II to VII.

(3) The powers of a subordinate authority other than an Administrator or the Head of a Department in regard to matters covered by Schedules II to VII shall be such as the Department of the Central Government concerned may by general or special order specify:

Provided that no power in excess of the power conferred on the Head of a Department by Schedules II to VII shall be conferred on such subordinate authority.

(4) A subordinate authority other than a Department of the Central Government shall, in regard to matters not covered by Schedules II to VII exercise such powers as may be specified from time to time by general or special order of the President.

(5) An Authority empowered by or under these rules to incur contingent expenditure or miscellaneous expenditure, shall exercise such power subject to the following conditions, namely:—

- (a) The rules for the supply of articles required for the public service and the rules regulating the purchase of stationery stores for the public service contained in Appendix 9 and Appendix 10 respectively to the General Financial Rules and subsidiary instructions and orders on the subject shall be followed.
- (b) In regard to contingent expenditure on each item specified in column 2 of the Annexure to Schedule V, the rules, orders, restrictions or scales specified in column 4 of that Annexure against that item shall be observed.
- (c) In regard to miscellaneous expenditure any rules, orders, restrictions or scales as may be made, imposed or prescribed by the President shall be observed.
- (d) No contingent or miscellaneous expenditure of an unusual character or involving any departure from the rules, orders, restrictions or scales referred to in clauses (b) and (c) shall be incurred nor shall any liability be undertaken in connection therewith, without the previous consent of the Finance Ministry.

Explanation.—In this rule and the Schedules—

- (a) “contingent expenditure” means all incidental and other expenditure, including expenditure on stores, which is incurred for the management of an office or for the working of a technical establishment such as a laboratory, workshop, industrial installation, store depot, and the like but does not include any expenditure which has been specifically classified as falling under some other head of expenditure, such as “Works”, “Stock”, “Tools and Plant”; and
- (b) “miscellaneous expenditure” means all expenditure other than expenditure falling under the category of pay and allowances of Government servants, leave salary, pensions, contingencies, grants-in-aid, contributions, works, stock, tools and plant and the like.

11. **Expenditure on schemes.**—(1) Without prejudice to the provisions of rules 10, a Department of the Central Government may sanction expenditure on any scheme, the total outlay on which does not exceed rupees fifty lakhs:

Provided that no expenditure, even within the limit prescribed in this sub-rule, shall be sanctioned without the previous consent of the Finance Ministry if it has the effect of substantially altering the scope of the scheme as accepted by that Ministry:

Provided further that in relation to public works the power conferred by this rule shall, subject to the provisions of the Central Public Works Department Code, the Central Public Works Account Code and any general or special order of the President in this behalf, be exercised—

- (i) in the case of expenditure under Major Heads—69A—Capital Outlay on Posts and Telegraphs—Original Works, 69B—Capital Outlay on Posts and Telegraphs—Renewals and Replacements, 72—Capital Outlay on Industrial Development—Overseas Communications Service and 72-A—Capital Outlay on Civil Aviation, by the Department of Communications and Civil Aviation;
- (ii) in the case of expenditure under the Major Heads—50 Civil Works—Original Works—Central Road Fund (Ordinary and Special) Reserve, 81—Capital Account of Civil Works—Outside the Revenue Account—Original Works—Construction of National Highways and roads other than National Highways and 88—Capital Outlay on Development Grants—Original Works—Construction of State roads of economic or inter-State importance, by the Department of Transport; and
- (iii) in any other case, by the Ministry of Works, Housing and Supply.

(2) For the purpose of applying the limit of rupees fifty lakhs, the entire cost of the scheme upto the date of completion (both recurring and non-recurring) including the cost of works (even where the provision for such work is made in a Demand under the control of another Department) shall be taken into account.

(3) Notwithstanding anything contained in sub-rule (1) but subject to the provisions of the Central Public Works Department Code, the Central Public Works Account Code and any general or special order of the President, the Department of Transport may sanction any expenditure on the maintenance of National Highways and other roads which are under its administrative charge.

12. Grants and loans.—Departments of the Central Government and Administrators have full power to sanction grants-in-aid and loans;

Provided that—

- (a) such grants-in-aid or loans are in accordance with the rules or principles prescribed with the previous consent of the Finance Ministry; and
- (b) the rate of interest on a loan and the period of repayment thereof are fixed with the previous consent of the Finance Ministry unless the rate of interest on such loan and the period of repayment thereof are prescribed in any general or special order of that Ministry.

13. Indents, contracts and purchases.—Subject to the provisions of these rules and the provisions of the General Financial Rules governing the purchase of Stores for the public service, a Department of the Central Government has full power to make purchases and to execute contracts:

Provided that the previous consent of the Finance Ministry shall be obtained in the following cases, namely:—

- (a) any purchase or contract the value of which exceeds rupees twenty-five lakhs; if a contract extends over a period of time, the total value over the entire period of its currency shall be taken as the value for the purpose of applying the limit;
- (b) any negotiated or single tender contract exceeding rupees ten lakhs in value; a limited or open tender which results in only one effective offer shall be treated as a single tender contract for this purpose;
- (c) any indent for stores of a proprietary nature, the value of which exceeds rupees five lakhs;
- (d) any agreement or contract for technical collaboration or consultancy services with firms or foreign Governments; and
- (e) any purchase which has normally to be effected through the Central Purchasing Organisations, but which is proposed to be made direct on grounds of emergency, if the value exceeds rupees five lakhs:

Provided further that in the case of the Ministry of Works, Housing and Supply the monetary limits under clauses (a) and (b) shall be rupees one crore and rupees fifty lakhs respectively, for purchases by the Central Purchasing Organisations in India or abroad.

14. Trading operations.—Notwithstanding anything contained in these rules, all proposals—

- (a) for the purchase of commodities not intended for Government consumption, but for sale or issue to the public, State Governments or any other authority;
- (b) for the fixation of prices in respect of direct trading operations of Government; and
- (c) from Government companies and undertakings which may be referred to the Government for fixation of prices for their products or stocks;

shall be referred to the Finance Ministry for concurrence before approval.

Explanation.—In this rule "Government company" has the same meaning as in the Companies Act 1956 (1 of 1956).

15. Sanction or consent of the Finance Ministry.—Wherever the consent or sanction of the Finance Ministry is required by these rules, such consent or sanction shall be expressed in writing and communicated to the audit officer or officers concerned by that Ministry.

16. Communication of financial sanctions.—(1) All orders sanctioning expenditure or advance of public money issued by a Department of the Central Government in exercise of the powers conferred on it by these rules shall be communicated to the audit officer or officers concerned over the signature of the Financial Adviser of that Department:

Provided that the provisions of this rule shall not apply to a sanction which could have been issued by such Department under its own powers exercisable by it immediately before the 20th August, 1958.

(2) For the purposes of this rule, 'Financial Adviser' includes 'Additional Financial Adviser', 'Joint Financial Adviser', 'Deputy Financial Adviser', 'Assistant Financial Adviser' and 'Deputy Assistant Financial Adviser'.

17. **Saving.**—Nothing in these rules shall apply to—

- (a) the Ministry of Railways and authorities subordinate to that Ministry;
- (b) the Ministry of Defence and authorities subordinate to that Ministry, in relation to expenditure debitable to Defence Estimates; and
- (c) the Department of Atomic Energy.

SCHEDULE I
LIST OF HEADS OF DEPARTMENT
[See rule 2(e)]

A. MINISTRY OF COMMERCE AND INDUSTRY

1. Director General, Commercial Intelligence and Statistics, Calcutta.
2. Chief Controller of Imports and Exports, New Delhi.
3. Textile Commissioner, Bombay.
4. Controller of Patents and Designs, Calcutta.
5. Registrar, Trade Marks Registry, Bombay.
6. Chairman, Forward Markets Commission, Bombay.
7. Chief Industrial Adviser, Development Wing.
8. Development Commissioner, Small Scale Industries.
9. Chairman, Tariff Commission.
10. Salt Commissioner.

B. MINISTRY OF EDUCATION

1. Director of Archives, Government of India.
2. Principal, Central Institute of Education.

C. MINISTRY OF EXTERNAL AFFAIRS

1. Political Officer in Sikkim.
2. Controller General of Emigration.
3. Adviser to the Governor of Assam for Tribal Areas, Shillong.
4. Inspector General of Assam Rifles, Shillong.

D. MINISTRY OF FINANCE

(Economic Affairs Department)

1. National Savings Commissioner for India.
2. Master, India Government Mint, Alipore, Calcutta.
3. Master, India Government Mint, Bombay.
4. Master, Assay Department and Silver Refinery, Calcutta.
5. Master, India Security Press, Nasik Road.
6. Controller of Insurance, Simla.
7. Director, Enforcement Unit.

E. MINISTRY OF FINANCE

(Revenue Department)

1. Central Board of Revenue.
2. Commissioners of Income-Tax.
3. Collectors of Customs, Bombay, Calcutta, Cochin and Madras.
4. Collectors of Central Excise, Allahabad, Bangalore, Baroda, Bombay, Calcutta, Delhi, Hyderabad, Madras, Nagpur, Patna and Shillong.
5. Narcotics Commissioner.
6. Director of Inspection (Income tax).
7. Director of Inspection (Customs and Central Excise).

F. MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

1. Agricultural Marketing Adviser to the Government of India.
2. Director, Indian Agricultural Research Institute, New Delhi.
3. Plant Protection Adviser and Director, Locust Control, New Delhi.
4. Chairman, Central Tractor Organisation, New Delhi.
5. Vice-President, Indian Council of Agricultural Research, New Delhi.
6. Superintending Engineer, Deep Sea Fishing Station, Bombay.
7. Chief Research Officer, Central Marine Fishing Research Station, Mandapam.
8. Chief Research Officer, Central Inland Fisheries Research Station, Barrackpore.
9. Director of Dairy Research, National Dairy Research Institute, Karnal.
10. Director, Indian Veterinary Research Institute, Izatnagar and Mukteswar.
11. Economic and Statistical Adviser to the Government of India.
12. President, Forest Research Institute and College, Dehra Dun.
13. Chief Engineer, Exploratory Tubewells Organisation, New Delhi.
14. General Manager, Central Mechanised Farm, Suratgarh.

G. MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

1. Director-General, Food.

H. MINISTRY OF HEALTH

1. Director-General, Health Services.

I. MINISTRY OF HOME AFFAIRS

1. Director, Intelligence Bureau.
2. Principal, Indian Administrative Service Training School, Delhi.
3. Commandant, Central Police Training College, Mount Abu.
4. Registrar-General and Ex-officio Census Commissioner for India.
5. Inspector General of Police, Special Police Establishment.
6. Commissioner for Scheduled Castes and Scheduled Tribes, India.
7. Inspector-General of Police, Delhi.

J. MINISTRY OF INFORMATION AND BROADCASTING

1. Director General, All India Radio.
2. Principal Information Officer, Press Information Bureau.

K. MINISTRY OF IRRIGATION AND POWER

1. Chairman, Central Water and Power Commission.
2. Chief Engineer, Hirakud Dam Project.

L. MINISTRY OF LABOUR AND EMPLOYMENT

1. Chief Labour Commissioner, New Delhi.
2. Chief Adviser, Factories, New Delhi.
3. The Director, Labour Bureau, Simla.
4. Chief Inspector of Mines in India, Dhanbad.
5. Chairman, Labour Appellate Tribunal, Calcutta.

M. MINISTRY OF LAW

1. President, Income-Tax Appellate Tribunal.
2. Chief Election Commissioner.

N. MINISTRY OF REHABILITATION

1. Custodian General of Evacuee Property, New Delhi.

O. MINISTRY OF SCIENTIFIC RESEARCH AND CULTURAL AFFAIRS

1. Director General of Archaeology in India.
2. The Council of National Library.
3. Director, Department of Anthropology.
4. Principal, Delhi Polytechnic, Delhi.
5. Principal, Indian School of Mines and Applied Geology.
6. Surveyor General.
7. Director, Zoological Survey of India.
8. Director, Botanical Survey of India.

P. MINISTRY OF STEEL, MINES AND FUEL

(Department of Iron and Steel)

1. Iron and Steel Controller, Calcutta.

Q. MINISTRY OF STEEL, MINES AND FUEL

(Department of Mines and Fuel)

1. Director, Geological Survey of India.
2. Oil and Natural Gas Commission.
3. Coal Controller.

R. MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Communications and Civil Aviation)

1. Director General, Posts and Telegraphs.
2. Postmaster General.
3. Directors, Posts and Telegraphs.
4. Director, Postal Services, Delhi Circle.
5. Director, Postal Life Insurance.
6. Additional Chief Engineer, Technical and Development Circle.
7. General Manager, Automatisations, Calcutta.
8. General Manager, Telephones.
9. District Manager, Telephones.
10. General Manager, Posts and Telegraphs Workshops.
11. Chief Controller of Telegraph Stores.
12. Chief Accounts Officer, Stores and Workshops.
13. Director General of Civil Aviation.
14. Director General of Observatories.
15. Chief Government Inspector of Railways.
16. Government Inspector of Railways, Calcutta.
17. Government Inspector of Railways, Lucknow.
18. Government Inspector of Railways, Bangalore.
19. Government Inspector of Railways, Bombay.
20. Board of Management of the Overseas Communications Service.
21. Director General, Overseas Communications Service.

S. MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

1. Director General of Shipping, Bombay.
2. Director General, Department of Lighthouses and Lightships.

T. MINISTRY OF WORKS, HOUSING AND SUPPLY

1. Chief Inspector of Explosives in India.
2. Estate Officer.
3. Chief Engineer, Central Public Works Department.
4. Chief Controller of Printing and Stationery, India.
5. Director General, Supplies and Disposals.
6. Chief Pay and Accounts Officer.
7. Director, National Buildings Organisation.

U. PRESIDENT'S SECRETARIAT

1. Military Secretary to the President.

V. CABINET SECRETARIAT

1. Director of Industrial Statistics, Simla.
2. Chief Director and Director of Field Operations, Multipurpose National Sample Survey.

W. PLANNING COMMISSION

1. Director of Programme Evaluation Organisation, Planning Commission.

X. ANDAMAN AND NICOBAR ISLANDS ADMINISTRATION

1. Chief Conservator of Forests, Andaman and Nicobar Islands.

SCHEDULE II

Powers to create permanent posts

[See rule 10]

Authority	Classes of posts which may be created
<i>Departments of the Central Government</i>	
(i) Department of Parliamentary Affairs, President's Secretariat, Vice-President's Secretariat, Cabinet Secretariat, Prime Minister's Secretariat and Partition Secretariat.	Posts in Class III and Class IV Service.
(ii) Other Departments	Posts in Class II, Class III and Class IV Service other than posts in the Finance Branch of the Department.
<i>Administrators</i>	
(i) Lieutenant Governor, Himachal Pradesh, and Chief Commissioner, Delhi.	Posts in Class II, Class III and Class IV Service.
(ii) Other Administrators—(excluding Administrator of the Laccadive, Minicoy and Amindivi Islands).	Posts in Class III and Class IV Service.
<i>Heads of Departments</i>	Posts in Class III and Class IV Service.

SCHEDULE III

Powers to create temporary posts

[See rule 10]

Authority	Classes of posts which may be created and the limit of pay upto which a post may be sanctioned	Period for which the posts may be sanctioned
Departments of the Central Government:		
(i) Department of Parliamentary Affairs, President's Secretariat, Vice-President's Secretariat, Cabinet Secretariat, Prime Minister's Secretariat and Partition Secretariat.	Posts in Class I Service— (a) Secretariat posts not above the rank of Under Secretary ; & (b) other posts carrying prescribed scale the maximum of which does not exceed Rs. 1150/- per mensem.	Any specified period
(ii) Other Departments	Posts in Class II, Class III and Class IV Service. Posts in Class I Service on pay less than Rs. 2250/- per mensem in the prescribed scale (or rupees 3,000/- if the post carries a pre-1931 scale) other than posts in the Finance Branch of the Department.	
	NOTE—Where a post is sanctioned on a time-scale, the maximum of the time-scale should be taken as 'pay' for the purpose of this entry.	
	Posts in Class II, Class III and Class IV Service other than posts in the Finance Branch of the Department.	Any specified period.
Administrators:		
(i) Lieutenant Governor, Himachal Pradesh, Chief Commissioner, Delhi.	Posts in Class I Service.	Initially for any period not exceeding six months with power to extend the post by not more than a further period of six months.
	Posts in Class II, Class III and Class IV Service	Any specified period.
(ii) Other Administrators (except Administrator, Laccadive, Minicoy and Amindivi Islands.)	Posts in Class II, Class III and Class IV Service.	Any specified period.
(iii) Administrator, Laccadive, Minicoy and Amindivi Islands.	Posts in Class III and Class IV Service.	Not exceeding three months.
Heads of Departments :		
	Posts in Class II, Class III and Class IV Service.	Any specified period.

Explanation :—In this Schedule, "any specified period" means—

- in the case where the authority specified in column 1 of the Schedule has power to create a temporary post specified in column 2 of the said Schedule, but has no power to create such post permanently, a period not exceeding two years ; and
- in any other case any stated period.

SCHEDULE IV

Powers of Appropriation and Re-appropriation

[See rule 10]

Authority	Extent of power	
	Appropriation	Re-appropriation
Departments of the Central Government.	Full powers subject to rule 8.	Full powers subject to rule 8.
Administrators	Full powers subject to rule 8.	Full powers subject to rule 8.
Heads of Departments	Full powers subject to rule 8.	Full powers subject to rule 8.

SCHEDULE V

Powers of Incurring Contingent Expenditure

[See rule 10]

NOTE.—Subject to the provisions of sub-rule (5) of rule 10 and subject also to availability of funds the Departments of the Central Government, the Administrators and Heads of Departments specified in column 1 of the table below shall, in the matter of incurring contingent expenditure, have the powers specified in the corresponding entry in column 2 of that table :

Provided that in respect of any matter specified in column 2 of the Annexure to this Schedule (i) the Department of Parliamentary Affairs, the President's Secretariat, the Vice-President's Secretariat, the Prime Minister's Secretariat, the Cabinet Secretariat and the Partition Secretariat — in so far as recurring contingent expenditure is concerned, and (ii) Heads of Departments in so far as recurring and non-recurring contingent expenditure is concerned, shall have power to incur such expenditure up to the limit specified in the corresponding entry in column 3 of the Annexure, if any such limit has been specified in that column.

TABLE

Authority (1)	Extent of power	
	Recurring	(2) Non-recurring
1. Departments of the Central Government.		
(i) Department of Parliamentary Affairs, President's Secretariat, Vice-President's Secretariat, Prime Minister's Secretariat, Cabinet Secretariat and Partition Secretariat.	Rs. 1,000 per annum in each case.	Full powers.
(ii) Other Departments	Full powers.	Full powers.
2. Administrators	Full powers.	Full powers.
3. Heads of Departments	Rs. 1,000 per annum in each case.	Rs. 5,000 in each case.

ANNEXURE

Serial number of item	Item of expenditure	Monetary limit up to which expenditure can be incurred	Rules, orders, restrictions, or scales subject to which the expenditure shall be incurred.
1	2	3	4
1	Bicycles Full powers.	The supplies shall be obtained through the Director General, Supplies and Disposals or against the rate contract placed by him.
2	Charges for remittance of treasure.	..	The expenditure in connection with such remittance where it is not chargeable to the Reserve Bank of India shall be treated as contingent charges of the treasury or sub-treasury concerned.
3	Conveyance hire	..	<p>Conveyance hire may be reimbursed to a non-gazetted Government servant who (i) is despatched on duty to a place at some distance from his office if the Government servant concerned is not entitled to draw travelling allowance under the ordinary rules for the journey or (ii) is summoned to office outside the ordinary hours of duty by the special order of a gazetted officer.</p> <p>Reimbursement of conveyance hire should be made in accordance with the scheduled scale of charges for the conveyance used.</p> <p>NOTE: The conveyance hire should not be granted in respect of a journey if the Government servant concerned is granted any compensatory leave or is otherwise entitled to receive any special remuneration for the purpose of the duty which necessitated the journey.</p>
4	Dusting of offices, and acting as night darwan.	..	<p>The expenditure must be limited to making small monthly payments to Government servants for dusting offices or for acting as night darwans in addition to their own duties, provided that the payments—</p> <p>(i) are of a purely contingent character, are drawn on contingent bills and may be withdrawn at any time at the discretion of the sanctioning authority;</p> <p>(ii) will not count for leave salary or pension; and</p>

1	2	3	4
			<p>(iii) the authority sanctioning any such payment shall record his reasons therefor, and shall satisfy himself—</p> <p>(a) that the work is outside the regular duties of the Government servant; and</p> <p>(b) that the arrangement is more economical than the employment of an extra person.</p>
5	Electric gas and water charges.	Full powers.	
6	Fixtures and furniture	Rs. 2,500 per annum per office.	The exercise of this power shall be subject to such conditions and scales as may be prescribed by the Ministry of Works, Housing and Supply.
7	Freight and demurrage/wharfage charges— (i) Freight charges . (ii) Demurrage/wharfage charges.	(i) Full powers. (ii) Rs. 250/- in each case.	
8	Hire of office furniture, electric fans, heaters, coolers, clock and call bells.	Rs. 2,500/- per annum per office.	At places within an area in which the Central Public Works Department operates, that Department is responsible for supplying electric fans and heaters required for use in any office or department and power to hire such articles may be exercised by subordinate authorities only in cases where the Central Public Works Department is unable to supply them.
9	Instruments, minor equipment and apparatus.	Rs. 2,500/- per annum per office/establishment.	
10	Land	The Department of Communications and Civil Aviation may acquire land required for works under its control. In all other cases, land required for Government use shall be acquired with the previous consent of the Ministry of Works, Housing and Supply or subject to such orders as that Ministry may issue.
11	Legal charges. (i) Fees to Barristers. Pleaders	Full powers.	Expenditure on such fees shall be incurred only with the previous consent of the Ministry of Law.

1	2	3	4
	(ii) Other charges	(a) Full powers where the authority incurring the expenditure has power to sanction the institution of the suit or prosecution. (b) Rs. 2,500/- in any other case.	
	(iii) Reimbursement of legal expenses incurred by Government servants in cases arising out of their official duties.	..	These powers shall be exercised subject to such orders as the President may issue from time to time.
12.	Motor vehicles (other than motor boats and motor launches).		
	(i) Purchase	Purchase of motor vehicles requires the previous consent of the Finance Ministry.
	(ii) Maintenance and upkeep.	Full powers.	
13.	Municipal rates and taxes.	Full powers.	The expenditure shall be incurred in accordance with the Rules for the payment of Municipal Rates and taxes on buildings contained in Appendix 19 to the General Financial Rules.
14.	Petty works and repairs—		
	* (i) Execution of petty works and special repairs to Government owned buildings, including sanitary fittings, water supply and electric installations in such buildings and repairs to such installations.	Rs. 5,000/- in each case.	In exercising these powers, the provisions of paragraphs 189 and 192 to 195 of the General Financial Rules shall be observed.
	(ii) Ordinary repairs to Government buildings.	Full powers.	
	* (iii) Repairs and alterations to hired and requisitioned buildings.	Rs. 2,500/- per annum non-recurring and Rs. 500/- per annum recurring.	Such expenditure may be incurred only if the landlord refused to meet the charges himself and when the building is released, Government should have the right to remove any installation or material added to the building.
			* Departments of the Central Government have full power to incur expenditure on sub-items. (i) and (iii), but such expenditure in excess of the monetary limits prescribed in column 3 may be incurred only with the previous consent of the Ministry of Works, Housing and Supply.

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15. Postal and Telegraph Full powers.
charges.

(i) Charges for the
issue of letters, tele-
grams etc.

(1) No charges shall be drawn in any contingent bill for any non-service stamps other than those required for letters and other articles sent to foreign countries.

NOTE: (i) Communications from Government servants regarding their leave, pay, transfer, leave salary, income tax, fund subscriptions and other analogous matters are private and not official and shall not, therefore, be sent at the public expense,

(ii) Where the cost of an establishment is divided between two heads, the charge for service stamps shall be divided in the same proportion.

(2) In the absence of any special orders to the contrary only service stamps shall be used in payment of telegrams despatched on public service whether sent from Government or Railway Telegraph Offices.

(3) If any officer is compelled to send a telegram at a time when he is temporarily without service stamps he should pay for it in cash and the amount so paid may subsequently be drawn in a contingent bill. In such cases a certificate that the telegram was sent on State Service and that cash payment was unavoidable shall be attached to the sub-voucher concerned.

NOTE: Foreign State telegrams and inland telegrams bearing priority indications may be issued only by an authority authorised to do so in accordance with the rules issued by the Director General, Posts and Telegraphs.

ii) Commission on
money orders.

Charges for remittances of money by postal money order in payment of Government dues shall ordinarily be borne by the payee and not by Government *vide* Treasury Rule 197. Cases in which and the conditions under which the cost of such remittance may be borne by Government are indicated below:—

(a) Remittances of pay, allowances, etc.,—Pay, travelling and other allowances and contingent charges of non-gazetted Government servants employed in outlying stations may be remitted by money order at Government expense, when the stations are at a distance of more than 5 miles from the nearest Treasury or from the remitting office at which such

1	2	3	4
			<p>charges are drawn, provided that the money order commission should not amount to more than the travelling allowance payable if a messenger were sent.</p> <p>NOTE: Under special circumstances (such as when a suitable messenger is not available or the journey is risky) such remittances may be permitted even though the money order commission exceeds the travelling allowance that would be payable had a messenger been employed.</p> <p>(b) Remittances of leave salary—The leave salary of a non-gazetted Government servant belonging to the Posts and Telegraphs Department (including Posts and Telegraphs Accounts Offices) may be drawn in the usual way and remitted to his address by service money order.</p> <p>(c) Remittances of scholarships—The remittances at Government expense of scholarships will require the sanction of an authority not lower than the Head of a Department.</p> <p>(d) Remittances of money due to contractors, suppliers, etc.—Where the remittance of such charges by money order is unavoidable and is considered necessary in the interest of public service the cost for such remittance may be debited to Government with the special sanction of an authority not lower than the Head of a Department.</p>
46.	Printing and binding . . .		<p>The expenditure shall be incurred subject to the provisions of the Rules for Printing and Binding.</p>
47.	Publications . . . Full powers.		<p>(1) Priced publications of the Central Government shall be purchased in accordance with the provisions of Appendix XIII to the Rules for Printing and Binding.</p> <p>(2) The distribution of unpriced publications of the Central Government should be controlled by the authorities responsible for their issue. In effecting such distributions the authority concerned shall ensure that the monetary limits, if any, fixed under the Rules for Printing and Binding are not exceeded.</p> <p>(3) Maps produced by Survey of India shall be purchased in accordance with the rules issued in this behalf by the Surveyor-General of India.</p>

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| 18. | Rent.
(i) ordinary office accommodation.
(a) where the accommodation is utilised entirely for the office
(b) where the accommodation is used partly as office and partly as residence. | Rs. 7,500 per annum at Bombay, Calcutta and Madras and Rs. 500 p.m. at other places.
Rs. 400 p.m. at Bombay, Calcutta and Madras and Rs. 350 p.m. at other places.

Rs. 300/- per annum. | (1) Departments of the Central Government have full powers to incur expenditure on these items, but such expenditure in excess of the monetary limit prescribed in column 3 may be authorised by them only with the prior consent of the Ministry of Works, Housing and Supply.

(2) Normally the Central Public Works Department should hire accommodation required for public purposes and also enter into the lease deeds and pay the rent. The power conferred by this serial number is an exception to this general principle and shall be exercised subject to the following conditions:—
(a) no accommodation may be hired under these powers at Delhi, Bombay, Simla and Calcutta for any office which is entitled to general pool accommodation provided in these places by the Works, Housing and Supply Ministry;

(b) where the Central Public Works Department operates it shall invariably be consulted and required to give a certificate of non-availability of Government accommodation within a reasonable time consistent with the urgency and needs of the public service and also as to the reasonableness of the rent;
(c) where the Central Public Works Department does not operate, the authority hiring the accommodation should avail of the assistance of the appropriate local authority such as the local Central Public Works Department or rent control authority and obtain a certificate of reasonableness of rent from such local authorities;
(d) when accommodation is hired by an authority within the limits of its financial powers the hiring will be arranged and paid for by that authority and not by the Central Public Works Department; and
(e) where the accommodation is hired exclusively for office, the area of the accommodation shall not exceed what is admissible by more than 10 per cent. |
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- (3) Where hiring of accommodation is beyond the competence of any authority it should approach the Central Public Works Department who will hire the accommodation and also enter into lease deeds and pay the rent.
- (4) Private accommodation should normally be hired for office purposes only. Where, however, such accommodation of the proper scale and according to requirements of the office concerned is not available or where special circumstances exist, accommodation may be hired for office *cum*, residence, residence or other purposes. Where accommodation is hired for office *cum* residence purposes the residential portion shall be allotted to a specific post and thereafter it shall be incumbent on the Government servant holding the post and also his successors in that post to occupy the residential portion until alternative accommodation is secured for office alone *vide* Supplementary Rules, 311 and 312. Only such accommodation as is surplus to office requirements may be set apart as residential accommodation and in allotting it to any post it should be ensured that the residential accommodation is not in excess of what is appropriate to the status of the incumbent of the post according to the prescribed standard subject to a variation upto 5 per cent.
- (5) The standard rent for the residential portion of the accommodation under Fundamental Rule 45-A should be determined on the plinth area basis.
- (6) Out-houses, if any, which form the part of accommodation hired should be utilised for storage of stationery, forms, old records or any other appropriate purposes. Where this is not possible these should be let out to members of Class IV staff and rent recovered from them under the rules in force.
- (7) Accommodation shall not be hired for a period exceeding five years at a time.

19. Repairs to erection and Full powers.
removal of machinery.

1	2	3	4
20.	Rewards, fees, bonus, etc. (Other than fees or honoraria granted to Government servants under the Service Rules).	..	Such expenditure is treated as of an unusual character <i>vide</i> sub-rule (5) of rule 10 except in cases where it is authorised by separate orders referred to in item 21 below.
21.	Special charges relating to particular Departments.	..	The powers of Heads of Departments in regard to such expenditure are regulated by separate orders.
22.	Staff paid from contingencies.	Full powers.	Remuneration of such staff shall be regulated in accordance with general or special order issued by the President in this behalf.
23.	Stationery and printing articles.	..	The conditions under which these articles may be purchased locally and the financial limits on the powers of different authorities in the matter are laid down in the General Financial Rules.
24.	Stores :— (i) Stores required for works.	Full powers.	The sanction of a competent authority for executing the work carries with it the sanction for incurring necessary expenditure on the purchase of stores required for the work.
	(ii) Other stores, that is stores required for the working of an establishment.	Full powers.	
25.	Supply of liveries, badges and other articles of clothing, etc. and washing allowance.	Full powers.	(1) Unless otherwise authorised by general or special order, liveries and other articles of clothing shall not be supplied to any category of Government servants other than Class IV staff, staff car drivers and despatch riders. (2) For staff employed in the offices of the Government of India located at Delhi/Simla the scales and other conditions are regulated by the Ministry of Home Affairs' O.M. No. 5/6/55-Pub.II, dated 16th April, 1957, as amended from time to time. (3) For Class IV staff employed in offices under the Administrators the scales and conditions shall be regulated by rules or orders made by the Administrators concerned. These should (i) specify the office, the messenger and other Class IV staff who may be supplied with these articles, (ii) state the frequency with which liveries and other articles may be supplied, and (iii) lay down maximum limits for the cost of each article.

1	2	3	4
			<p>(4) Supplies to staff employed in offices located in a State or in areas within the jurisdiction of an Administrator shall be regulated by the rules or orders issued by the State Government for its own establishments, or as the case may be, by the Administrator for the staff employed under him. The grant of washing allowance to such staff shall also be regulated by those rules or orders, but, if they do not contain any provision for the grant of such allowance, the orders referred to in para (2) above shall apply.</p> <p>(5) The provisions of paras (2) to (4) do not apply in cases where the issue of liveries including the scale and the maximum limit for the cost of each livery, is regulated by special orders issued by the President in respect of particular departments or establishments.</p>
26.	Telephone charges	Full powers.	<p>Heads of Departments, other than the Director General of Posts and Telegraphs, may exercise this power for the provision of telephones in offices only. Where a residential telephone has been sanctioned by a Department of the Central Government or an Administrator, it may be shifted from one residence to another under the orders of the Head of a Department provided that it shall not be shifted to the residence of any officer who is not entitled to residential telephone.</p>
27.	Tents and camp furniture.	..	<p>(1) An initial supply of tents shall be made only under the orders of a Department of the Central Government or the Administrator concerned.</p> <p>(2) The scale of camp furniture is regulated by general or special order of the President.</p>
28.	Typewriters, calculating machines, etc.	Full powers.	<p>The expenditure on the purchase hire, upkeep of and repairs to such machines shall be incurred subject to general or, special order issued by the President in this behalf.</p>

SCHEDULE VI

Powers to incur miscellaneous expenditure.

[See rule 10]

NOTE—Incurring of expenditure by subordinate authorities on entertainment (light refreshments), foundation stone laying, ceremonies and opening of buildings, shall be subject to general instructions issued by the Finance Ministry.

Authority	Maximum limit up to which the expenditure may be sanctioned on each individual item	
	Recurring	Non-recurring
<i>Departments of the Central Government :</i>		
(i) Department of Parliamentary Affairs, President's Secretariat, Vice-President's Secretariat, Cabinet Secretariat, Prime Minister's Secretariat and Partition Secretariat	Rs. 500 a year.	Rs. 2,500
(ii) Other Departments	Full powers.	Full powers.
<i>Administrators.</i>		
(i) Lieutenant Governor, Himachal Pradesh, and Chief Commissioner, Delhi	Full powers.	Full powers.
(ii) Other Administrators	Rs. 1,000 a year	Rs. 5000
<i>Heads of Departments :</i>	Rs. 200 a year.	Rs. 1,000

SCHEDULE VII

Powers to write off losses.

[See rule 10]

NOTE 1—The powers specified in this Schedule may be exercised by a subordinate authority provided that—

- the loss does not disclose a defect in rules or procedure the amendment of which requires the orders of higher authority or Finance Ministry; and
- there has not been any serious negligence on the part of any Government servant which may call for disciplinary action by a higher authority.

NOTE 2—Write off of losses of cash in treasuries, whether in the course of remittance or out of treasury balances and of overpayments made to Government servants are governed by separate rules.

NOTE 3—For the purpose of this Schedule the value of the stores shall be the "book value" where priced accounts are maintained and "replacement value" in other cases.

Nature of loss	Authority	Monetary limit upto which the loss may be written off in each case.
Irrecoverable losses of stores or of public money.	Departments of the Central Government.	Rs. 25,000 (in respect loss of stores not due to theft, fraud or negligence).
	<i>Administrators.</i>	10,000 (in other cases).
Loss of revenue or irrecoverable loans and advance.	(i) Lieutenant Governor Himachal Pradesh.	5,000
Deficiencies and depreciation in the value of stores included in the stock and other accounts.	(ii) Chief Commissioner, Delhi.	5,000
	(iii) Other Administrators.	2,500

1	2	3
Irrecoverable losses of stores or of public money (including loss of stamps).	Heads of Department. (i) Chief Engineer, Central Public Works Department. (ii) Director General, Posts and Telegraphs. (iii) All other Heads of Departments.	5,000 (in the case of loss of stores).
Loss of irrecoverable loans and advances.	(i) Director General, Posts and Telegraphs. (ii) Surveyor General . . . (iii) Chief Engineer, Central Public Works Department. (iv) Director General of Observatories.	5,000 1,000 1,000 1,000
Loss of revenue	(i) Commissioners of Incometax (ii) Collector of Customs (iii) Collector of Central Excise	Full powers to write off irrecoverable balances of income-tax demands, subject to a report to the next higher authority. Power to write off irrecoverable customs duty, fines and other public money upto rupees one thousand. 1,000
Deficiencies and depreciation in the value of stores included in the stock and other accounts.	Director, Indian Veterinary Research Institute. Narcotics Commissioner Director, Botanical Survey Director General of Observatories. Mint Masters and Master, Assay Department and Silver Refinery, Calcutta. Master, India Security Press	Loss of crude and finished products.—subject to the limit prescribed from time to time. Loss of opium in vats or during manufacture—subject to the limits prescribed from time to time. Power to write off loss of cinchona bark due to dryage in storage up to Rs. 1,000 a year. 1,000 Full powers in the case of losses of bullion in the process of coinage, refining or melting. 1,000

(Department of Economic Affairs)

New Delhi, the 10th December 1958

S. O. 2615.—Statement of the Affairs of the Reserve Bank of India, as on the 5th December, 1958.

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	11,03,92,000
Reserve Fund	80,00,00,000	Rupee Coin	2,10,000
National Agricultural Credit (Long-term Operations) Fund	25,00,00,000	Subsidiary Coin	3,40,000
National Agricultural Credit (Stabilisation) Fund	3,00,00,000	Bills Purchased and Discounted :—	
Deposits :—		(a) Internal
(a) Government		(b) External
(1) Central Government	61,58,54,000	(c) Government Treasury Bills	3,94,19,000
(2) Other Governments	12,18,57,000	Balances held abroad*	18,33,88,000
(b) Banks	73,01,91,000	**Loans and Advances to Governments	24,96,55,000
(c) Others	116,81,54,000	Other Loans and Advances†	54,69,57,000
Bills Payable	14,87,28,000	Investments	288,55,25,000
Other Liabilities	20,66,65,000	Other Assets	10,55,63,000
TOTAL	412,14,49,000	TOTAL	412,14,49,000

Dated the 10th day of December 1958.

*Includes Cash & Short term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 67,36,000 advanced to scheduled banks against usance bills under Section 17(4) (e) of the Reserve Bank of India Act.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 5th day of December 1958.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	11,03,92,000		A. Gold Coin and Bullion :—		
Notes in circulation	1582,22,91,000		(a) Held in India	117,76,93,000	
Total Notes issued		1593,26,83,000	(b) Held outside India	
			Foreign Securities	164,67,56,000	
			TOTAL OF A		282,43,59,000
			B. Rupee Coin		136,10,36,000
			Government of India Rupee Securities		1174,72,88,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		1593,26,83,000	TOTAL ASSETS		1593,26,83,000

Dated the 10th day of December 1958.

K. G. AMBEGAOKAR, DEPUTY GOVERNOR.

[No. F. 3(2)-F. 1/58.]

A. BAKSI, Jt. Secy.

(Department of Economic Affairs)

New Delhi, the 10th December 1958

S.O. 2616.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (2) of section 19 of the said Act shall not for the period ending with the 31st December, 1959, apply to the Bank of Jaipur Ltd. in respect of the shares of the Howrah Soap Co. Ltd. and the J. K. Eastern Industries Ltd. held by it on the 28th October, 1955.

[No. F.4(150)-BC/58.]

D. N. GHOSH, Under Secy.

(Department of Economic Affairs)

New Delhi, the 11th December 1958

S.O. 2617.—In exercise of the powers conferred by clause (c) of sub-section (1) of Section 8 of the Reserve Bank of India Act, 1934 (2 of 1934) read with sub-section (7) of the said section, the Central Government hereby renominates—

(i) Shri D. N. Mitra, and

(ii) Col. B. H. Zaidi.

as directors of the Central Board of the Reserve Bank of India with effect from the 15th January, 1959.

[No. F.3(77)-BC/58.]

R. K. SESHADRI, Dy. Secy.

(Department of Economic Affairs)

New Delhi, the 13th December 1958

S.O. 2618.—In pursuance of sub-section (2) of section 21 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government, on the recommendation made by the Central Committee of the Board of Directors of the Industrial Finance Corporation of India under sub-section (4) of section 14 of the said Act, hereby fixes 4 per cent per annum as the rate of interest payable on the bonds to be issued by the said Corporation in January, 1959, and maturing on the 2nd January, 1960.

[No. F. 2(91)-Corp./58.]

S. S. SHARMA, Under Secy.

(Department of Revenue)

ORDERS

STAMPS

New Delhi, the 8th December 1958

S.O. 2619.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty chargeable under the said Act in respect of the following instruments executed in favour of the High Commissioner for the United Kingdom in India, namely:—

- (1) Lease deed dated the 16th October, 1958 in respect of the first floor flat at 68/48 Chanakyapuri, New Delhi.
- (2) Lease deed dated the 13th November, 1958 in respect of the first floor flat at No. 107, Jorbagh, New Delhi.

[No. 38 F.No.1/82/58-Stamps/Cus.VII.]

S.O. 2620.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), and in supersession of the order of the Government of India in the Ministry of Finance (Department of Revenue) No. 33 dated the 8th October, 1958, the Central Government hereby remits the duty with which debentures of the value of Rs. 55 lacs issued by the Uttar Pradesh Financial Corporation are chargeable under the said Act.

[No. 39. F.No. 1/71/58-Stamps/Cus.VII.]

G. S. SAWHNEY, Under Secy.

(Department of Revenue)

CORRIGENDUM

ESTATE DUTY

New Delhi, the 15th December 1958

S.O. 2621.—In the Ministry of Finance (Department of Revenue) Notification S.O. 266 dated the 11th March, 1958 appearing on pages 180 to 186 of the Gazette of India dated the 22nd March, 1958 Part II, Section 3(ii), on page 183, against Serial No. 8 for "M/s. Valimohamed Gulamhussein Soonawalla" read "M/s. Valimahomed Gulamhusaln Sonavala & Co.",

[No. 54/F. No. 5/29/58-E.D.]

P. K. GHOSH, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 9th December 1958

S.O. 2622.—In exercise of the powers conferred by sub-section (2) of Section 5 of the Indian Income-tax Act, 1922 (11 of 1922) and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from the 27th November, 1958 (forenoon) Shri S. A. L. Narayana Row, a Commissioner of Income-tax, shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or of such incomes or classes of incomes or of such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of Madhya Pradesh and the districts of Nagpur and Bhandara.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or of such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Narayana Row shall be designated as the Commissioner of Income-tax, Madhya Pradesh and the districts of Nagpur and Bhandara with headquarters at Nagpur.

Explanatory Note

Note.—The amendments have become necessary due to change in the incumbent of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 110(F.No.55/23/58-IT).]

A. K. MUKHERJEE, Under Secy.

CUSTOMS

New Delhi, the 20th December 1958

S.O. 2623.—In exercise of the powers conferred by clauses (b) and (c) of section 11 and section 53 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue hereby declares that the limits of the port of Vansi Borsi shall be as stated in column 1 of the schedule hereto annexed and that within the Port limits mentioned in the said schedule:—

- (1) the places mentioned in column 2 thereof shall be deemed to be wharves for the shipment and landing of goods, and
- (2) the place stated in column 3 thereof shall be the point beyond which no vessel arriving shall pass until a manifest has been delivered to the pilot, officer of customs or other person duly authorised to receive the same.

SCHEDULE

Limits under section 11(b) of the Sea Customs Act, 1878	Wharves prescribed under section 11(c) of Sea Customs Act, 1878	Places appointed for delivery of manifest under section 53 of Sea Customs Act, 1878
1	2	3
The navigable channel of the Purna river from its mouth to Navsari in the south up to a point $2\frac{1}{2}$ miles due from the mid channel of the mouth of Purna river and in the north up to village Dipla.	For all goods—Vansi Borsi Customs House. For free goods from customs Ports the undermentioned Landing places— 1. Matwad. 2. Jalalpore 3. Navsari.	Off the Customs House Vansi Borsi.

[No. 302.]

S.O. 2624.—In exercise of the powers conferred by section 12 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue hereby makes the following further amendments in its Notification No. 156—Customs dated the 20th July, 1957, namely:—

In the schedule to the said Notification:—

- (i) under the column "Name of Port" for the entry "Matwad" the entry "Onjal" shall be substituted,
- (ii) the entry 'Navsari' under the column "Name of Port" and its corresponding entry 'Surat' shall be omitted.

[No. 303.]

S.O. 2625.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue hereby declares that Vansi Borsi situated in the District of Surat in the State of Bombay shall be a port for the shipment and landing of goods.

[No. 304.]

M. C. DAS, Secy.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE, BOMBAY
III DIVISION

Bombay, the 10th December 1958

S.O. 2626—Whereas it appears that the unclaimed goods noted below which were seized by the Central Excise staff on 5th March, 1958 at about 5-30 hrs. in the jurisdiction of Ch. No. 13 and 14 were imported by land from deman portuguese territory in India. In contravention of Sec. 5(1) of the Land Customs Act 1924 and the Government of India Ministry of Commerce and Industry I.T.C. order No. 17/55 dated 7th December, 1955 issued under the Import & Export Control Act, 1947 and deemed to have been issued under Sec. 19 of the Sea Customs Act, 1878. Now therefore any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise, Bombay III Dn.; as to why the above mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167 (8) of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under section 7(1) (c) of the Land Customs Act, 1924 read with section 167 (8) of the Sea Customs Act, 1878. If such an owner fails to turn up to claim the above mentioned goods or to show cause against the action proposed to be taken within 30 days from the publication of the notice in the Government of India Gazette/Bombay state Government Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

Serial No.	Description of the goods & country of origin	Qty.	Value
			Rs.
1.	Odhani rose colour of Chirmin cloth with gold jari	1	100
2.	Odhani dark blue, Chirmin cloth with gold jari	1	25
3.	Odhani green colour	1	25
4.	Ladies pyjama, Satin, Chocolate colour with border of gold jari	1	50
5.	" " " " Blue colour satin	1	100
6.	Ladies "pyjama "Dark blue satin" cloth	1	25
7.	" " Green colour satin cloth	1	40
8.	Odhani dark blue colour, Chirmin cloth with gold jari	1	30
9.	Odhani light green used with Jari	1	25
10.	Frock with gold jari	1	50
11.	Frock satin cloth Rose colour with gold jari	1	25
12.	Frock Blue colour chirmin cloth gold jari	1	15
13.	Frock Dark blue colour	1	50
14.	Frock green colour satin cloth with golden jari	1	15
15.	Frock with black colour cloth	1	25
16.	Cotton border for pyjamas	2	3
	TOTAL		603

[No. VIII/10-1/58]

R. N. SHUKLA, I.R.S.,
Assistant Collector.

MINISTRY OF COMMERCE AND INDUSTRY

New Delhi, the 6th December, 1958

S.O. 2627.—In exercise of the powers conferred by sub-section (3) of section 1 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby appoints the 15th day of December, 1958, as the date which the provisions of the said Act in so far as they relate to units of mass shall come into force in respect of transactions involving sale and purchase of goods in the district of Durbhanga in the State of Bihar.

[No. SMC-15(3)/58/1.]

S.O. 2628.—In exercise of the powers conferred by section 14 of the Standards of Weights and Measures Act, 1956 (89 of 1956), the Central Government hereby permits, in respect of the area mentioned in the notification of the Government of India in the Ministry of Commerce and Industry, S.O. No. 2627 dated the 6th December, 1958, the continuance of the use, for a period of two years from the 15th day of December, 1958, of any weight which immediately before that date, was in use in respect of the said area.

[No. SMC-15(3)/58/2]

K. V. VENKATACHALAM, Jt. Secy.

New Delhi, the 12th December 1958

S.O. 2629/IDRA/29B/4/58.—In exercise of the powers conferred by sub-section (1) of section 29B of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 3538/IDRA/29B/13/57 dated the 29th October, 1957 published in Part II Section 3 of the Gazette of India dated the 2nd November, 1957, namely:—

In the Annexure to the said notification, for the entry "1—Industrial gases, oxygen and dissolved acetylene", the following shall be substituted, namely:—

"1—Industrial gases, namely:—

- (a) Oxygen gas of all varieties
- (b) dissolved acetylene gas
- (c) Hydrogen gas of all varieties
- (d) Nitrogen gases of all varieties
- (e) Carbon dioxide gas of all varieties
- (f) Refrigerant gases of dichlorodifluoro methane and allied groups
- (g) Rare gases like helium, argon, neon, krypton, neon etc.
- (h) Fire extinguishing gases of chlorobromo methane and allied groups
- (i) Nitrous oxide
- (j) Propane
- (k) Cyclopropane
- (l) Ethylene."

In exercise of the powers conferred by sub-section (2) of section 29B of the said Act, the Central Government hereby specifies a period of eight months from the date of publication of this notification as the period after the expiry of which no owner of an industrial undertaking engaged in the manufacture or production of all or any of the items specified in items 1(c) to 1(l) shall carry on the business of the undertaking except under and in accordance with a licence or permission, as the case may be, issued by the Central Government.

[No. 6(11)-1A-1G-57.]

R. J. BHOJWANI, Under Secy.

ORDER

New Delhi, the 13th December 1958

S.O. 2630.—In pursuance of rule 9 of the Development Councils (Procedural) Rules, 1952; made under Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby ratifies the appointment of Shri Abhijit Sen, Director, Sen-Raleigh Industries of India Ltd., Mercantile Buildings, Lall Bazar, Calcutta, as a substitute to take the place of Shri Sanjoy Sen, Technical Director, Sen Raleigh Industries of India Ltd., Mercantile Buildings, Lall Bazar, Calcutta, a non-official member of the Development Council for the scheduled industry engaged in the manufacture and production of Bicycles, Sewing machines and Instruments, for the purpose of attending the 14th meeting of the said Council which was held in New Delhi, on the 24th and 25th November, 1958.

[No. 4(56)IA(II)(G)/58.]

A. K. CHAKRAVARTI, Under Secy.

(Indian Standards Institution)

New Delhi, the 3rd December 1958

S. O. 2631.—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955 the Indian Standards Institution hereby notifies that amendments to the Indian Standards given in the Schedule hereto annexed have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of Amendment	Brief particulars of Amendment	Date of effect of the Amendment
(1)	(2)	(3)	(4)	(5)	(6)
1.	IS : 534—1955 Specification for Benzene, Ordinary.	S.R.O. 846, dated 14th April 1956.	No. 1 December 1958	The following has been added as a new sub-clause after 0.2 : '0.2.1 In this standard, colorimetric tests have been prescribed for acid wash and colour. In these tests, the colour developed is compared visually against a standard chemical solution. On going through the literature issued by Messrs. Tintometer Limited, Salisbury, England, the Sectional Committee responsible for the preparation of this standard has felt that comparison may also be made against discs of permanent glass colour standards which are readily available.'	15 December, 1958.
2.	IS : 535—1955 Specification for Benzene, Pure, Nitration Grade.	S.R.O. 846, dated 14th April 1956.	No. 1 December 1958		
3.	IS : 536—1955 Specification for Toluole, Industrial, Solvent Grade.	S.R.O. 701, dated 24th March 1956.	No. 1 December 1958		
4.	IS : 537—1955 Specification for Toluene, Pure, Nitration Grade.	S.R.O. 701, dated 24th March 1956.	No. 1 December 1958		

(1)	(2)	(3)	(4)	(5)	(6)
5 IS : 560—1955 Specification for BHC, Technical.	S.R.O. 3670, dated 17th December, 1955.	No. 1 December 1958	The following changes have been made in Appendix C :		15 December 1958.
			<p>(a) Clause C-0.1 has been deleted and substituted by a new clause making option in the use of either <i>chromatographic</i> or <i>polarographic</i> method for determining the gamma isomer content of BHC.</p> <p>(b) In line 2 of clause C-1.2.4, '1-hydroxy-4-p-toluinoanthraquinone' has been replaced by '1-hydroxy-4-p-toluidino-anthraquinone*' with a foot note '*Also known as 1-hydroxy-4-p-tolylamino-anthraquinone'.</p> <p>(c) In line 2 of clause C-1.3.2, '50g' has been replaced by '50.0±0.5g'.</p> <p>(d) In line 13 of clause C-1.3.2 and lines 8-9 of clause C-1.3.3 '0.14 to 0.20 atm (2 to 3 psi)' and in line 12 of clause C-1.3.3 '0.14 to 0.20 atm (3 to 4 psi)' have been replaced by '0.141 to 0.211 kg/sq. cm. (or 2 to 3 psi or 0.14 to 0.20 atm)'.</p> <p>(e) A new clause C-2.0 has been inserted after C-2.</p> <p>(f) A formula for calculating <i>gamma</i>-BHC content from the concentration of <i>gamma</i>-BHC in the prepared solution, has been given at the end of clause C-2.3.1.</p>		
6 IS : 565—1955 Specification for DDT Water Dispersible Powder Concentrates.	S.R.O. 13, dated 7th January 1956.	No. 1 December 1958	<p>(a) The existing clause 3.2.3 has been deleted and substituted by a new clause providing for a tolerance of ±10 per cent in the minimum weight of DDT which shall be in suspension 30 minutes after agitating or 2.5 per cent DDT suspension (<i>w/v</i>) prepared from the pretreated material.</p>		15 December 1958.

- (b) In lines 5-7 of clause D-3.2 of Appendix D, the sentence 'Add to it to the graduated cylinder' has been replaced by :

'Add to it 30 ml of standard hard water at $30^{\circ} \pm 1^{\circ} \text{C}$, work the mass into a uniform slurry and allow it to stand for 15 minutes at $30^{\circ} \pm 1^{\circ} \text{C}$. Transfer the slurry to the graduated cylinder'.

- (c) A new clause D-5 interpreting the test results has been added after D-4.1 in Appendix D.

7 IS : 881-1956 Specification for S.R.O. 825, dated
BHC. Refined. 16th March 1957.

No. 1
December 1958

The following changes have been made in
Appendix C :

- (a) Clause C-1.1 has been deleted and substituted by a new clause making option in the use of either *chromatographic* or *polarographic* method for the determination of gamma isomer content of BHC, refined.

15 December 1958.

- (b) In line 2 of clause C-2.2.4 '1-hydroxy-4-p-toluenanthraquinone' has been replaced by '1-hydroxy-4-p-toluidino-anthraquinone*' with a foot note '*also known as 1-hydroxy-4-p-tolylamino-anthraquinone'.

- (c) In line 1 of clause C-2.3.2 '50g' has been replaced by ' $50.0 \pm 0.5 \text{g}$ '.

- (d) In clause C-3.0 lines 9 to 17 have been deleted.

- (e) A formula for calculating *gamma*-BHC content from the concentration of *gamma*-BHC in the prepared solution has been given at the end of clause D-3.3.1.

(1)	(2)	(3)	(4)	(5)	(6)
8	IS : 882—1956 Specification for <i>gamma</i> —BHC (Lindane).	S.R.O. 825 dated 16th March 1957.	No. 1 December 1958	The following changes have been made in Appendix D : (a) Clause D-1.1 has been deleted and substituted by a new clause making option in the use of either <i>chromatographic</i> or <i>polarographic</i> method for the determination of <i>gamma</i> isomer content of <i>gamma</i> —BHC (Lindane). (b) In line 2 of clause D-2.2.4 '1-hydroxy-4-p-toluinoanthraquinone' has been replaced by '1-hydroxy-4-p-toluidino-anthraquinone*' with a foot note '*also known as 1-hydroxy-4-p-tolylamino anthraquinone.' (c) In line 1 of clause D-2.3.2 '50g' has been replaced by '50.0±0.5g' (d) In clause D-3.0 lines 9 to 17 have been deleted. (e) A formula for calculating <i>gamma</i> —BHC content from the concentration of <i>gamma</i> —BHC in the prepared solution has been given at the end of clause C-3.3.1.	15 December 1958.

Copies of these amendment slips are available, free of cost, with the Indian Standards Institution, "MANAK BHAVAN", 9, Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 40/40A, Cawasji Patel Street, Fort, Bombay-1, (ii) P-11, Mission Row Extension, Calcutta-1 and (iii) 2/21, First Line Beach, Madras-1,

[No. MDC/11(9)].

C. N. MODAWAL,
Deputy Director (Marks).

MINISTRY OF HEALTH

New Delhi, the 10th December, 1958

S.O. 2632.—In exercise of the powers conferred by sub-section (2) of section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following amendment in the First Schedule, to the said Act, namely:—

In the said Schedule, after the entry relating to the University of Baroda, the following entry shall be inserted, namely:—

Karnatak University	Bachelor of Medicine and Bachelor of Surgery	M.B.B.S. (Karnatak)
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[No. F. 17-48/58-ML.]

KRISHNA BIHARI, Dy. Secy.

MINISTRY OF TRANSPORT & COMMUNICATIONS

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 21st November 1958

S.O. 2633.—In exercise of the powers conferred by sub-section (3) of section 3 of the Indian Ports Act, 1908 (XV of 1908), the Central Government is pleased to authorise Shri Kurien Thomas, temporary Pilot, Cochin Port to pilot vessels in and out of the Port of Cochin with effect from the 29th November, 1958.

[No. 6A-PG(47)/58.]

D. A. R. WARRIAR, Under Secy.

(Department of Transport)

(Transport Wing)

New Delhi, the 8th December, 1958

S.O. 2634.—In exercise of the powers conferred by sub-rule (2) of rule 11, clause (b) of sub-rule (2) of rule 14 and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules, 1957, the President hereby directs that the following further amendments shall be made in the Schedule to the notification of the Government of India in the late Ministry of Transport No. S.R.O. 610 dated the 28th February, 1957, namely:—

In the said Schedule:—

(1) in Part II, under the heading "Department of Lighthouses and Lightships", in item 1—

(a) for the entry (ii) in column 1, the following entry shall be substituted, namely:—

"(i) Posts in the offices of the Directors of Lighthouses and Lightships, Madras, Bombay, Calcutta and Saurashtra-Kutch Lighthouse Districts";

(b) the words "or Deputy Director of Lighthouses and Lightships where there is no Director" in column 3 shall be omitted;

(2) in Part II, under the heading "Department of Lighthouses and Lightships", item 1 shall be renumbered as entry (i) of that item and in that item as so renumbered,

(a) in column 1, the following shall be inserted as entry (ii) and bracketted with entry (i), namely:—

"(ii) Posts in the offices of the Directors of Lighthouses and Lightships, Madras, Bombay, Calcutta, and Saurashtra-Kutch Lighthouse Districts";

(b) the words "or Deputy Director of Lighthouses and Lightships where there is no Director" in column 3 shall be omitted.

[No. 26-ML(10)/53.]

K. N. NAGAR, Under Secy. and Vigilance Officer.

MINISTRY OF WORKS, HOUSING AND SUPPLY

New Delhi, the 20th December, 1958

S.O. 2635.—In exercise of the powers conferred by the proviso to Article 309 recruitment for the post of Assistant Director (Physical) (Textile) in the Gov-

ANNEXURE

Recruitment rules for the post of Assistant Director (Physical) (Textile) in the Government Text

Name of post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Educational and other qualification, required
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1	2	3	4	5	6	7
Assistant Director (Physical) (Textile).	1	General Central Service Class I Gazetted.	Rs. 350—350— 380—380— 30—590— EB—30— 770—40— 850.	Selection	Between 30 & 40 years.	<p><i>Essential.</i>—</p> <p>(i) A degree or equivalent diploma in Textile Technology of a recognised University or Institution.</p> <p><i>Or</i></p> <p>A post Graduate degree in Technology or Physics (Pure or Applied) with specialised knowledge of High Polymeric materials like Textiles, Rubber and Plastics, Paper and Paper Products, Leather, etc.</p> <p>(ii) About 5 years' practical experience in testing of textile, rubber and plastics, paper and paper products, leather etc.</p> <p>Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified.</p> <p><i>Desirable :</i></p> <p>Knowledge of the recent advances in Polymer Science with special reference to Textiles, Rubber and Plastic Materials, Leather etc. Acquaintance with the modern testing methods for Textile and allied materials.</p>

of the Constitution, the President hereby directs that the method and field of ernment Test House, Alipore, Calcutta, shall be as in the Annexure.

House, Calcutta, Ministry of Works, Housing and Supply.

Whether age and educational qualifications prescribed for the direct recruits will apply in the case of promotees	Period of probation, if any	Method of rectt. whether by direct rectt. or by promotion or transfer & percentage of the vacancies to be filled by various methods	In case of rectt. by promotion/transfer, grades from which promotion to be made	If a DPC exists what is its composition	Circumstances in which UPSC is to be consulted in making rectt.
8	9	10	11	12	13
Age-No. /Yes. Educational-Yes.	6 months.	40% by promotion. 60% by direct recruitment	Promotion : Senior Phys- ical Assis- tant.	Class I, De- partmental Promotion Committee.	As required under the rules.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 9th December 1958

S.O. 2636.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Comp. and Rehab.) Act No. 44 of 1954, the Central Government hereby appoints the officer for the time being holding the post of Deputy Administrator, Govind Puri Township in Meerut District as Managing Officer for the custody, management and disposal of compensation pool.

[No. 16(14)Admn.(Prop)/58.]

M. L. PURI,

Settlement Commissioner.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 10th December 1958

S.O. 2637.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Nagpur at Bombay, in respect of application under Section 33A of the said Act filed by Shri Venoo and two other employees of Kolar Gold Mining Undertakings, Oorgaum P.O., Kolar Gold Field.

BEFORE SHRI P. D. VYAS, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR AT BOMBAY.

APPLICATION (CGIT) No. 28 of 1958.

IN REF. (CGIT) No. 5 of 1957

1. Venoo, 2138, Under Ground Dept.
2. Munisami, T No. 2220, Under Ground Dept
3. Muniyappa alias Munigan, T. No. 2219, Under Ground Department—*Applicants.*

Versus

The Kolar Gold Mining Undertakings, Oorgaum P.O., Kolar Field—*Opposite Party.*

In the matter of an application under section 33A of the Industrial Disputes Act, 1947.

APPEARANCES:

Shri Rangaswamlanger, Legal Adviser—for the management.

Shri V. M. Govindan—for the workmen.

AWARD

This is an application filed under section 33A of the Industrial Disputes Act by three workmen employed under the opposite party in the Mysore Minc. On 20th May, 1958, they were caught in the act of stealing gold bearing quartz and they were therefore charge-sheeted according to the standing orders on 22nd May, 1958, and suspended pending inquiry on the same day. The inquiry took place between 23rd May, 1958 and 27th May, 1958 and in the result thereof they have been dismissed from service with effect from 6th June, 1958. For this action taken by the employers, an application for approval under section 33(2)(b) of the Industrial Disputes Act has already been filed being application (CGIT) No. 23 of 1958. The said application dated 11th June, 1958 was received on 13th June, 1958 and after hearing the same I have passed a separate order. So far as the present complaint is concerned, it could lie provided there has been contravention of the provisions of section 33 of the Act. It is dated 29th June, 1958 and received on 4th July, 1958 at which time the employers had already filed the application aforesaid for approval under the proviso to section 33(2)(b) of the Act. In the present application itself in paragraph 15 the fact of the application for approval filed by the employers has been referred to and admitted. Apparently, thus the present application by way of complaint under section 33A is misconceived and cannot lie.

2. On perusal of the present application we do not find a single ground which would go to establish a case of contravention, if any, of the provisions of section 33 of the Act so as to entitle the applicants to file a complaint under section 33A. In the application itself the facts regarding charge-sheet and an inquiry following the same are admitted and the only attempt made is to find fault with the inquiry proceedings. All the points alleged in this connection will be relevant for examination in the employers' application for approval but they cannot afford any ground to file a complaint under section 33A of the Act. It has next been alleged in the present application that under the standing orders suspension beyond seven days is not permissible but the applicants were suspended for more than seven days from 22nd May to 6th June 1958. Under the standing orders they could either be fined, suspended or dismissed but there is no provision for both suspension and dismissal and this action on the part of the employers is irregular and improper and amounts to double punishment. It may be noted that the applicants were charge-sheeted on 22nd May, 1958 and suspended pending inquiry on the same day. The inquiry took place between 23rd May, 1958 and 27th May, 1958 and ultimately the order of dismissal was made on 6th June, 1958. Since the order or dismissal is to take effect from 6th June 1958, obviously the suspension during the period 22nd May, 1958 to 5th June, 1958 is pending inquiry and is not in the nature of a punishment. The management has agreed to pay wages for the period from 22nd May, 1958 to 5th June, 1958 and in any case this is not a ground which can be helpful for making out a case for contravention of the provisions of section 33 of the Act. In my opinion the application discloses no ground which would justify a complaint under section 33A of the Industrial Disputes Act and it ought to fail for want of cause of action. It is thus not necessary to enter into the merits of the case and I may just mention here that all the relevant points raised by the workmen have been considered in the application filed by the employers. The present application in the result stands dismissed. No order as to costs.

[No. LR II/64(44)/58.]

P. D. Vyas,

Central Govt. Industrial Tribunal.

28th November, 1958.

New Delhi, the 11th December 1958

S.O. 2638.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the New Asiatic Insurance Company, Limited, New Delhi and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI.

PRESENT

Shri E. Krishna Murti,
Central Govt., Industrial Tribunal.

New Delhi the 25th November 1958

I. D. No. 127 of 1958.

AND

I. D. No. 178 of 1958.

BETWEEN

The employers in relation to the New Asiatic Insurance Company, Limited,
New Delhi.

AND

Their workmen.

Shri Yog Raj Bhasin for the management.

Shri Madan Mohan for the workmen.

AWARD

I. D. No. 127 of 1958.

By G. O. No. S. O. LRI-11(11)/56 dated the 16th June, 1958, the industrial dispute, between the employers in relation to the New Asiatic Insurance Company Limited, New Delhi, and their workmen, has been referred to this Tribunal for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947.

2. The terms of reference are as follows:—

- (1) Whether the transfers of Sarvashri Jagat Kumar, J. R. Kain, J. L. Jain, O. N. Malla, L. S. Kapoor, Gian Chand, N. P. Varma, Roop Singh, and S. K. Raniwal from the Divisional office at New Delhi are justified; and, if not, to what relief they are entitled?
- (2) Whether the retrenchment of Sarvashri Madan Singh, Bishan Singh, and Bishwanath is justified, and, if not, to what relief they are entitled?

3. It is alleged in the statement of claim filed on behalf of the workmen, that the conditions of service were unsatisfactory in the New Asiatic Insurance Company Ltd. (hereinafter referred to as the company), that the employees formed a branch committee of the members of the Association working in the New Asiatic Insurance Company Limited on 15th January, 1958, that a charter of demands was submitted to the management on 20th January, 1958, that conciliation proceedings were started thereafter, that a memorandum of settlement was signed by both the parties on 10th May, 1958, that immediately after the settlement the management transferred 8 employees and terminated the services of three employees as from 12th May, 1958, that out of the transferred employees, 6 are office bearers of the Branch Committee of the Association, that the action of the management in transferring the employees and in retrenching the other employees is unjustified illegal and *mala fide*, that this action was taken in order to victimise the employees for their trade union activities, that the company struck off the names of the transferred employees from 11th/12th June, 1958, that the management have victimised the workmen, that the transfer orders issued to the several employees should be set aside, that they should be permitted to continue in the service of the Company in Delhi Divisional office, that the retrenchment of the three workmen is also opposed to the provisions of the Industrial Disputes Act, and that the three retrenched employees should be re-instated in service together with back wages.

4. The contention on behalf of the management is that it is true, that a charter of demands was sent, that conciliation proceeding were initiated on the charter of demands, that there was a settlement in the conciliation proceedings, that the transfers of the several employees were effected *bona fide* and on account of exigencies of business that suggestion, that they were transferred on account of their trade union activities by way of victimisation, is not true, that the management have the right to transfer, that this is purely a management function, that the workmen did not obey the orders of transfer, that the management had no other alternative except to strike off their names from the rolls, that the transfers were made to offices where there was need for additional hands, that the retrenchment of surplus peons is also *bona fide* and justified, that this was effected for purely trade reasons, and that the same cannot be objected to, that none of them is entitled to re-instatement, that one of them Shri Madan Singh had taken all his dues, and had executed a receipt in full and final settlement of all his claims, that he cannot raise any other dispute, and that the workmen are not entitled to any relief.

5. The following issues were framed:—

- (1) Are the orders of transfer *bona fide* and justified?
- (2) Does the action of the management amount to victimisation of the workmen, and is it *mala fide*?
- (3) Whether the retrenchment of the three employees in question is valid and justified?
- (4) To what relief, if any, are the workmen entitled?

I. D. No. 178 of 1958.

6. By G. O. No. S. O. LR11-11(11)/58, dated the 14th August, 1958, the industrial dispute, between the employers in relation to the New Asiatic Insurance Company Limited, New Delhi, and their workmen, has been referred to this Tribunal for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947.

7. The term of reference is as follows:—

Whether the termination of services of Sarvashri Jagat Kumar, J. R. Kain, J. L. Jain, O. N. Malla, L. S. Kapoor, Gian Chand, M. P. Varma, Roop Singh and S. K. Raniwal is justified and, if not, to what relief they are entitled?

8. The workmen alleged in their statement of claim, that, subsequent to the transfer of the 8 employees in question, conciliation proceedings were started as from 19th May, 1958, that the Company struck off the names of the employees as from different dates, that the termination of service of the 8 employees is illegal, and that all the workmen should be re-instated in Delhi with full back wages.

9. The management plead, that there is no industrial dispute, that no conciliation proceedings were initiated by the Conciliation Officer, that the reference is mis-conceived, that the workmen were informed by telegram that their names were struck off the rolls, that these telegrams were followed by letters, that the Company was within its rights in striking off the names of the employees from its rolls, as it could not wait for an indefinite period, especially when the employees had categorically informed the Company, that they refused to go to the places to which they were transferred, that there is no infringement of the provisions of the Delhi Shops and Establishments Act, that the transfer is purely a management function, and it is not open to the employees to question, that order, that the striking off of the names of the workmen in question is *bona fide* and justified, that it does not amount to an act of victimisation, as alleged on behalf of the workmen, and that they are not entitled to any relief.

10. The following issues were framed:—

- (1) Is there an industrial dispute?
- (2) Is the present dispute not an industrial dispute, as contended by management?
- (3) Whether there was termination of service of the employees by the management?
- (4) Have the employees rescinded their contract of service as alleged by the management?
- (5) If the employees services were terminated, is the termination of service justified?
- (6) To what relief, if any, are the employees entitled?

11. These references relate to an industrial dispute between the employers in relation to the New Asiatic Insurance Company Limited on the one hand and their workmen on the other.

12. Both these disputes have been tried together at the request of the parties, and the common evidence has been recorded in I.D. No. 178 of 1958.

13. In I.D. No. 127 of 1958 the dispute relates to the transfers of Sarvashri Jagat Kumar, J. R. Kain, J. L. Jain, O. N. Malla, L. S. Kapoor, Gian Chand, N. P. Varma, Roop Singh, and S. K. Raniwal from the Divisional Office at New Delhi to several places outside Delhi, the order of transfer being on 12/13-5-1958. As the above-mentioned workmen did not obey the order of transfer, their names were struck off in the middle of June, 1958 by the Head Office at Calcutta. I.D. No. 178 of 1958 arises with reference to the striking off of the names of these individuals from the rolls of the Company. In I. D. No. 127 of 1958 there is a further question relating to the retrenchment of three employees, namely, Sarvashri Madan Singh, Bishan Singh, and Bishwanath.

Issues No. 1 and 2 in I. D. No. 127 of 1958—

14. In the first place, the question, that arises for consideration, is about the validity and the *bona fides* of the order of transfer of the 8 individuals in question. It appears from the evidence, that the Head Office of the Company previously was at Delhi since 1947. It continued here till January, 1958. The decision to transfer the Head Office to Calcutta was taken in 1956. In July or August, 1956 Re-Insurance Department was shifted to Calcutta. The Head Office was shifted to Calcutta in the beginning of 1958. When the Head Office was here, there was a Delhi Branch Office. After it was decided to shift the Head Office to Calcutta the Delhi Branch Office was converted into a Divisional office, and this was in 1956.

15. It appears from the evidence of Shri H. S. Nawlakha MWI, who is the Manager, Calcutta Office since 1948, that when the Head Office was shifted to Calcutta, all the Head Office employees in Delhi except 12 persons, who included

also the peons, were taken to Calcutta. The Divisional Office was asked to take care of these employees, and the Divisional Office was asked to wait further instructions from the Head Office in regard to these 12 persons. These 12 persons were surplus to requirements, and the Company wanted to help them by absorbing them in other branches, who needed them. Shri Nawlakha explains, that the shifting of the Head Office to Calcutta was delayed till the beginning of 1958 because of Government audit. MW2, Shri Lakshmi Chand Gupta, is the Divisional Manager of the Divisional Office at Delhi since the latter part of 1956. The territory of the Delhi Divisional Office comprises Delhi Province, Punjab, Kashmir, Jammu, Rajasthan and four divisions of Uttar Pradesh. In January 1958 Rajasthan was separated from Delhi and placed under Calcutta Head Office. Thereby they lost a premium income of Rs. 4½ lacs. His company was also under-writing motor business, but on account of heavy losses, the management took a decision to stop under-writing truck business, and to take up only selected car business. This resulted in heavy fall in accident premium. Expense ratio became more and the staff became surplus, and this affected the working of the company here. When the Head Office was shifted to Calcutta by January, 1958, the strength of the Divisional Office was 36. The Divisional Office could not take in the 12 employees, who were left behind by the Head Office. Shri Gupta says, that the Head Office asked him to re-organise the Divisional office to find ways and means to economise expenses and to state how many were surplus hands. Their expense ratio in the Divisional Office was 49 per cent whereas the Head Office fixed the expense ratio at 35 per cent. on the previous income.

16. The contention on behalf of the Company is, that in the above circumstances, owing to exigencies of business and for *bona fide* trade reasons, the Company was obliged to pass the transfer orders. Shri Gupta says, that the transfers were made because the Company had surplus men on their hands in the Divisional Office, and because the requirements of the Branches had to be met. Nine employees were transferred from Delhi, but only one of them obeyed the order of transfer. He states, that there is no work for the 8 employees in the Delhi-Office, and that the existing staff, even without the 8 employees in question is surplus.

17. Ext. M/139 is a copy of the letter dated 19th April, 1958, that was sent to the Conciliation Officer wherein the reasons are given for the transfers and the retrenchment. It is alleged therein, that the Head Office had shifted back to Calcutta from Delhi in January, 1958, that, as the motor insurance business was curtailed, and only selected business in accident was accepted, the premium income was reduced at New Delhi, and that the Jaipur office was separated from the Delhi Divisional Office in January, 1958, and that this resulted in the loss of rupees four to five lacs in the premium. It is further alleged therein, that the transfers were effected in the normal course of business of the company, and that the employees were transferred to the places where they were required. Another circumstance, that has been urged before me on behalf of the company, is that the expense of the Divisional office also became increased as a result of the settlement arrived at with the employees, and that this had the effect of increasing the expense ratio.

18. A number of documents have been produced on behalf of the management with a view to prove, that there was a fall in business of the Delhi Divisional Office, that a number of men became surplus, and that it was imperative to transfer some of them to other places. Ext M/27 is a file containing various charts tending to show the fall in business. Charts 1 to 3 have been filed to show the Shrinkage in business in 1958 and increase in the expense ratio. Charts 4 and 5 relate to the business lost as a result of Rajasthan being taken-away from Delhi Office. Chart 8 shows the monthly business under-written from January to 20th October, 1958, whereas Chart 9 shows the premium under-written in 1957. Whereas the total upto 20th October 1958 is about 8 lacs, in 1957 it is about 18½ lacs. Chart 15 is a statement showing the expense payment and that corresponding loss for the years 1954 to 1958. Chart 16 is the statement showing the yearly figures under different heads and it is meant to show that till the end of October, 1958 there is a substantial fall in the amount of business done in the Delhi Divisional Office. The charts, above referred to, do fully establish the fall in business in Delhi-Divisional Office on account of the reasons assigned by the management. The workmen have however relied upon the charts, Exts. W/39 and 40, to prove, that in fact, there was no loss in business, and that, on the contrary, there was a lot of accumulation of arrears. I am not prepared to place any reliance on Exts. W/39 and 40, and they do not give a correct picture of the state of affairs. On the contrary, there are no sufficient grounds for dis-carding the plain inference yielded by the several documents filed on behalf of the management, about the authenticity of which there can be no dispute at all.

It is however, pointed out, that according to the evidence of Shri Gupta, the cotton season begins in October and goes upto January and February, that comparatively the work in this period is more, and the premium income in this period also is more, and that in the rest of the year the work and premium income are less. What is important to note is, that the transfers were effected in May, 1958. At that time there was an appreciable fall in the business, and the premium income. The company was hard put to find ways and means to effect economy and keep down the expense ratio. Shri Gupta states, that no part of the Head Office work was given to the Divisional Office in order to enable absorption of the 12 employees left behind. He further explains, that in the chart till 1957 the business of Rajasthan area is included, but in the chart for 1958 Jaipur business is not included. The further evidence of Shri Gupta is, that it is not true, that the total number of employees in the Head Office was about 20 in January, 1958. With reference to the list, Ext. W/1, filed on behalf of the workmen, he says, that many of them in the list, Ext. W/1 may have been left at Delhi by the Head Office. In paragraph 35 of the statement of claim it is stated, that the company purposely selected officers and active workers of the union for the purpose of transfer out of the total number of 40 employees. It is at least proved, that there were 40 employees at the time of transfer. In paragraph 26 it is alleged, that in the month of January, 1958, the Head Office was shifted to Calcutta and about 7 workmen were transferred to Calcutta, and out of the remaining staff members about 12 employees were transferred to the Divisional Office. It is thus clear, that even at the time of the shifting of the Head Office to Calcutta 7 workmen had to be transferred to Calcutta. According to the evidence of Shri Jagat Kumar, W/2, when these seven persons were transferred to Calcutta in January, 1958, the Union did not protest. The explanation is given, that no protest was made because they were not members of the Union. His further evidence is, that in 1958 there was apprehension, that transfers of the staff would be effected and that the office bearers would be victimised. The need for re-organisation of the office at Delhi was felt even in January, 1958. Even at that time 7 men were transferred to Calcutta, and 12 of them, who were surplus to requirements were left at Delhi for absorption. In Ext. M/27 Chart 13 is a list of the workmen working by 30th October, 1958, and their number is about 37. It is in the evidence of Shri Gupta, that, after the date of transfer of the 8 men in question, the offices at Agra and Meerut were abolished, and that the workmen, who were working there, were shifted to Delhi. At the time of transfer in May, 1958, there was substantial fall in the business of the Delhi Divisional Office, and a number of members of the staff became surplus, and the Company, in order to economise, had to resort to re-organisation.

19. However, it has been attempted to be shown on behalf of the workmen, that in fact there was no loss of business and that the theory, put forward on behalf of the management, that some of the members of the staff had become surplus, and that, therefore, there was necessity to transfer some of them, is not true. Reliance has been placed on the charts showing payment of overtime, namely, Charts Nos. 11 and 12. The charts, as they are, show, that whereas more money was paid towards overtime wages in the year 1957, comparatively less was paid in 1958, between January and October of the said year. It is further pointed out on behalf of the management, that the rate of overtime was raised as per the settlement arrived at before the Conciliation Officer, and that difference in overtime had to be paid from 1st January, 1958 to 19th May, 1958, the total amount being Rs. 541/17 N.P. According to the evidence of Shri Gupta overtime work was taken from the employees, and chart No. 11 relates to the same. He denies the suggestion, that payment for overtime work is being shown under the Head "Entertainment Allowance", in order to reduce the figure for overtime work. He says, that the figure for overtime work is low because the staff is surplus. The evidence of Shri L. S. Kapur, who was a Divisional Office Accountant from February 1957, is, that in Ext. M/27, Charts No. 11 and 12 were prepared on the basis of single basic pay only, and the amount was partly debited against the Head 'Entertainment Allowance and Conveyance Charges'. His further evidence is, that the amount represents the basic salary of 7/8 persons. This evidence meant to suggest, that overtime work has increased in the office, that the expenditure therefor is being shown under the Head "Entertainment Allowance" with a view to conceal the fact of there being enough work in the Divisional Office, is unacceptable, and I do not believe the evidence on behalf of the workmen, in this connection. I prefer to believe the evidence on behalf of the management. The evidence of Shri J. R. Bhatia, who is a Typist, is, that the business of the office is increasing day by day. After the transfer, the working hours were changed for 8 persons in the Accounts Department. Their official duty is from 1 P.M. to 7 P.M., but they are working from 8 A.M. to 7 P.M. The work is heavy and there is a lot of arrears. In cross-examination he admits, that no complaint was made about arrears of work. The variation

in office hours was for one month only from the end of May upto the end of June. He does not know if action was taken against the company for taking overtime work from the employees. He admits, that overtime work was being done even prior to 1958. He is on the Executive Committee of the Union. Shri A. C. Malhotra, WW4, is another employee, who says, that the work in the company has increased and that there is a lot of pending work with him. He does 6½ hours work. He has worked in all for 8 hours overtime, after transfer. Before transfer he did not do any overtime work. Shri J. R. Kain, WW6, who is one of the employees transferred, says, that at the time of transfer there was a lot of work in the Fire Policy Department. Ext. W/38 shows the position of work with him since January, 1958. He did overtime work in December, 1957 and January, 1958. After this he was not given over-time work, because he was Treasurer of the Union. WW7, Shri Raniwal is another transferred employee. He says, that the total income derived by the Delhi Divisional Office in 1957, was about rupees 16 lacs. All this evidence on behalf of the workmen is not convincing and I am not prepared to attach any weight to the same. On the contrary there is acceptable evidence on behalf of the management both documentary and oral which does establish, that there was considerable fall in business by the shifting of the Head Office to Calcutta and by the removal of Rajasthan from Delhi Divisional Office, by motor insurance being restricted to elected motor insurance, and for other reasons mentioned by the management. Even at the time of shifting of the Head Office to Calcutta in January, 1958, 12 members were surplus. These had to be absorbed, and, by the further loss of business by May, 1958, further members of the staff became surplus. The suggestion, that by May, 1958 there was no loss in business but increase in business, that the office was under staffed, and there was no need for any transfer or for re-organisation, as suggested on behalf of the workmen, is untenable, and is opposed to the evidence, and I do not believe any such suggestion.

20. The transfers of the workmen had to be effected as a matter of dire necessity. There had been fall in business and loss had been suffered by the company. There was urgent and imperative need for re-organisation. Economies had to be effected. The expense ratio of the Delhi Divisional Office was much too high. It is in the evidence of Shri Gupta, that the expense ratio for the Delhi Divisional Office, as fixed by the Head Office, was 35 per cent of the premium income. He could not limit the expense within this limit. The expense of the Divisional Office was about 49 per cent. In cross-examination he says, that the Head Office fixed the expense ratio of all offices, branches and divisional, that the expense ratio is generally between 30 and 32½ per cent, and that all the branches are not working within the expense ratio. His further evidence is, that the expense ratio of the Divisional Office at Delhi is high on account of surplus staff in the Divisional Office. According to the evidence of Shri L. S. Kapur, for 1957 the expense ratio was 45 per cent. This was the percentage fixed, but actually the expense ratio was more than 45 per cent. He cannot say if it was 49 per cent. I prefer to believe the evidence of Shri Gupta who says, that the expense ratio fixed by the Head Office for Delhi Divisional Office was 35 per cent of the premium income. On the evidence of Shri L. S. Kapur, the expense ratio of that office was more than 45 per cent. There is no reason to disbelieve the evidence of Shri Gupta, that it was about 49 per cent. While the premium income had fallen, the expense ratio had gone up. It was partly due to unnecessary expense on surplus staff. Again it is in the evidence on behalf of the management, that there was an increase in expenditure of the Delhi Branch because of the increase in the expenditure as a result of the agreement that was entered into between the company and its employees. It is clear, that a charter of demands was submitted by the Branch Committee of the Northern Zone Employees' Association as soon as it was framed in January, 1958. Ext. M/134 is the written statement filed on behalf of the workmen before the Conciliation Officer in support of the several demands. Ext. W/41 is the reply that was sent by the company to the Conciliation Officer in relation to the charter of demands. An agreement was arrived at between the company and its workmen with reference to the various demands, as per Ext. M/135. The agreement was to have retrospective effect from 1st January, 1958, and was to be binding on both parties for a minimum period of 3½ years. There can be no doubt, that the agreement cast increased burden on the company and this in turn led to the increase in expense ratio.

21. It is proved on the evidence, that there was substantial fall in business, that the company suffered losses, that there was increase in expense ratio, and much more than what had been fixed by the Head Office. There is equally no doubt, that a number of members of the staff in the Divisional Office at Delhi were surplus to requirements. It became necessary for the company to economise

and to effect re-organisation. There is no reason to doubt the truth of the evidence of Shri Gupta, that the Head Office asked him to re-organise the Divisional Office, and asked him to find ways and means and to economise expenses, and inform them also as to how many were surplus. Exts. M/4 to 12 show the correspondence in this connection. It was in such circumstances that the company resorted to transfer of its employees instead of putting an end to their service. The transfers were effected *bona fide* on account of the exigencies of business and for *bona fide* trade reasons.

22. It is also established on the evidence, that some of the Branches were in need of hands and the company transferred the surplus hands at Delhi to the Branches which needed extra hands. That some of the Branches were in correspondence with the Head Office for extra hands is established from Ext. M/2 onwards. The need for transferring some employees as a result of the shifting of the Head Office was felt even in February, 1958. Ext. M/1, shows, that the question of transfer was postponed because the charter of demands had been received. Ext. M/2 dated 22nd January, 1958 contains the names of some of the employees, who were recommended as experienced hands to the Head Office. Ext. M/3 is a request from the Head Office at Calcutta to Delhi Office for accommodating the surplus staff in other Branches. These various documents produced on behalf of the management. Exts. M/2 to 24, show full well, that certain Branches were in need of extra hands, and the management, with a view to meet their requirements, decided to transfer some of the experienced surplus hands from Delhi to these Branches. In this connection Shri Madan Mohan, the President of the Northern Zone Insurance Employees' Association, deposes, that he was in Calcutta in September, 1958, and that his enquiry had revealed, that 15 new hands had been recruited there from January, 1958. In Kanpur, Patna, and Amritsar there had been no recruitment during 1958. In cross-examination he says, that he cannot give the names of those, who had been recruited in Calcutta. Some of the employees told him about it. He went to Kanpur personally, but he heard about Patna and Amritsar from the representatives of the Association. This evidence, meant to show, that the company's action is not *bona fide*, that in fact the Branches were not in need of any hands, and that recruitment had been made in Calcutta, is not of any value. I am not prepared to attach any importance to the same. The transfer of these employees was also effected with a view to supply the Branches, who needed them, with experienced hands. The contention on behalf of the company, that the transfers were effected *bona fide*, and in the interests of the business of the company, is fully borne out by the evidence.

23. However, a number of contentions have been urged on behalf of the workmen, with a view to establish, that the transfers are not *bona fide*, but are a measure of victimisation, and unfair labour practice. It is pointed out, that the workmen, who were transferred, were office bearers of the Branch Committee of the Northern Zone, and that this shows, that they were victimised for their trade union activities. It is urged in the statement of claim, that in the month of January, 1958 about 40 employees out of 45 joined the Northern Zone Insurance Employees Association. On 15th January, 1958 a separate Branch Committee of the members of the Association working in the New Asiatic Insurance Company Limited was formed. The said Branch Committee formulated a charter of demands and submitted the same on 20th January, 1958. This resulted in the settlement, which was signed by both parties on 10th May, 1958. The contention on behalf of the workmen is, that soon after the agreement was signed, the company transferred the 8 employees and terminated the services of three employees, as from 12th May, 1958. Ext. M/39 may be taken as a sample of the order of transfer, that was issued to each one of the employees. Shri Madan Mohan says, that the workmen were transferred because of their trade union activities, and that out of them 6 were office bearers of the union. Assuming, that 6 were office bearers of the Union, I am unable to hold that the action of the management is anything but *bona fide*. It has been established on the evidence, as already referred to, that there was absolute and imperative need for effecting economy owing to the fall in business of the company, and that some of the hands in the office were surplus to requirements. There was also the need for sending experienced hands to other Branches, which needed their services. The workmen now in question were some of the highly paid workmen of the company. Their retention in Delhi would add to the expense of the Delhi Office, and send up the expense ratio. The management wanted also to distribute the expense occasioned by the retention of these employees in employment as between several Branches so that the expense of the Delhi Branch might be lowered, and kept within the expense ratio fixed by the Head Office. It is also important to note, that as between low paid employees and the high paid employees it was more reasonable to transfer the latter, who could bear the difficulties of transfer in a

far greater measure than the lower paid employees. It so happened, that the individuals transferred were the office bearers of the union. As is clear from the evidence, almost all the members of the staff were members of the union, and, if others had been selected, the objection would have been raised, that their transfer also was an act of victimisation because they were active members of the union. When the need for transfer was there, the company had the right to select suitable men for transfer, and it cannot be held in the circumstances established in this case that the company acted *mala fide* in deciding to transfer the 8 workmen now in question.

24. It is urged on behalf of the management, that, on the contrary, the Branch Committee of the Association was formed without there being any need for it, and that the workmen elected office bearers with a view to forestall the contingency of their being transferred from Delhi. Reference may be made to the evidence of Shri Jagat Kumar, WW2, that in 1958 there was apprehension that some transfers of staff would be effected, and that some office bearers would be victimised. Apparently, the members of the staff knew the correspondence that was passing between the Head Office and the Divisional Office and the Branches, and knew, that some among them would be transferred. Shri Jagat Kumar denies the suggestion, that the Branch Committee was formed to prevent transfers from the staff, and that six men were elected as office bearers to forestall the transfer, which had come to be known by that time. The fact, that the Branch Committee was formed in January, 1958 after steps had been taken to shift the Head Office, and that this was succeeded by the sending of the charter of demands, does lend support to the contention on behalf of the management, that the six persons were elected office bearers of the Association, and the Branch Committee was formed, and the charter of demands was sent soon after, with a view to fight the management on the question of transfer about which the members of the staff had knowledge. It is important to note, that in the statement, Ext. M/134 demand No. 20 relates to transfers. The demand was, that no employee should be transferred from Delhi Office to any other office without the prior consent of the employee in writing as transfer from one region to another caused hardship. It was also stated, that it was difficult for an employee in Northern India to work in South India, or Bengal, where customs and food habits differed completely, and that, therefore, there should not be any transfer of an employee without his prior consent. Ext. M/135 shows, that this demand about transfer was dropped. According to the evidence of Shri Jagat Kumar the demand about transfer was superfluous, and it was communicated to the Conciliation Officer, because the company had the right to transfer. Another circumstance, that has been urged in this connection, is, that the names of the so called office bearers were not communicated to the Registrar of Trade Unions till about the end of May, 1958, as appearing from Exts. M/140 and 141. From the various circumstances set out above, the contention on behalf of the workmen, that the employees transferred were chosen for transfer with a view to victimise them as they were office bearers, and as they were actively taking part in union activities, is far fetched and untenable.

24A. Considering all circumstances and the evidence as a whole, it is well established, that the order of transfer passed by the management is *bona fide* and for *bona fide* trade reasons and on account of the exigencies of business. Such transfers were not resorted to as a matter of victimisation, or as a result of unfair labour practice with a view to defeat trade union activities as contended on behalf of the workmen. It has been held in *British India Corporation Ltd., and their workmen* (1956 1 LLJ 591), following the various decisions on the subject, that in law an employer has undoubtedly the right to transfer a workman from one place to another or from one section to another. In *Kemp & Company* (1954 LAC 903) it was held, that the transfer of an employee from one place to another is not an alteration of the conditions of service, and that he can be transferred to any place where the business of the employer in the same line is situated, unless there is an express condition to the contrary in the contract of employment. On the facts of the present case, there is no prohibition against transfer outside Delhi in the contract of employment. On the contrary, Demand No. 20 in the charter of demands was dropped. It is also important to note, that, by the transfer, the workmen were not prejudiced in the matter of emoluments or other conditions of service. There is no satisfactory proof in this respect. What appears from the evidence is, that the workmen in question were unwilling to work outside Delhi, and this was the reason for their resisting the order of transfer which is absolutely *bona fide* and in the interests of the company's business. The right of transfer is a management function, and, on the facts of the present case, as established, the workmen had no right to disobey the

company's order. I find on these issues, that the order of transfer of the 8 workmen in question is *bona fide* reasonable, valid and fully justified, in law, that it is not an act of victimisation, or of unfair labour practice, and that it is not *mala fide*.

Issue No. 3—

25. I shall next deal with the question of the retrenchment of the three peons. I have found above, that the business of the company suffered in more ways than one in 1958, that some of the members of the staff became surplus, and that the company had to resort to transfer some of its employees outside the Divisional Office at Delhi. It was on account of shortage of business, and *bona fide* trade reasons, that the three peons also were retrenched. Their retrenchment is fully justified, and no exception can be taken to the same. The retrenchment was necessitated by loss of business, and on account of the three peons being surplus.

26. It has however been argued, that the rule of "last come first go" was violated, and that juniors were retained, whereas senior employees were retrenched. In Ext. M/142 the correct date of the employment of the several peons and Chowkidars was communicated by the company. It is pointed out, that Shri Gulab Singh was appointed on 8th September, 1957, while Shri Madan Singh is appointed on 10th April, 1957, and that, therefore, the junior was retained in service. This contention is not entitled to acceptance. It is clear, that Shri Gulab Singh was a Chowkidar and not a peon. He belonged to an entirely different category. Apart from this, Shri Madan Singh settled his claim, and received what was due to him, as is clear from the receipt passed by him, which is document No. 17 in the file, Ext. M/27. He received an amount of Rs. 293 in full and final settlement of his account, with the company upto date as his services had been terminated by way of retrenchment. It is further stated therein, that there was no further dispute with the company, and that there was nothing more due to him. It is clearly established on the evidence, that the company has not violated the rule of "last come first go", and that only the junior most peons have been retrenched.

27. The contention is however raised, that the list, showing the respective seniority of the several peons, was not put up before retrenchment. This at best amounts only to an irregularity, and does not affect the legality and the validity of the retrenchment. I find, on this issue that the three peons in question were validly retrenched, that the retrenchment is fully valid and justified, and *bona fide*, and is due to *bona fide* trade reasons.

Issue No. 3, 4 & 5 in I.D. No. 178 of 1958—

28. The question next is with reference to the issues, that arise in I.D. No. 178 of 1958. As already referred to, the 8 workmen in question were transferred to various places outside Delhi. They did not obey the order of transfer. The documents, Exts. M/29 to 126 refer to the correspondence, that passed between the several workmen, who were transferred and the management in connection with the question of transfer. The order of transfer was made on 12-5-1958. Ext. M/38 is a copy of the letter, that was addressed to the management by Shri Raniwal, and it is admitted that similar letters were addressed by the other workmen also to the management. It is stated therein, that the order of transfer was improper and unjustified, and illegal, and that it was tantamount to a case of trade union victimisation, as would appear from the various facts set out therein. Briefly stated the allegations are to the effect, that the management did not relish the activities of the employees in forming separate Branch Committee and making demands upon the management, that they tried to victimise the active members of the union, that the charter of demands was settled by the settlement on 10-5-1958, that the management took advantage of this and passed the orders of transfer, and that the action of the management was not taken in the ordinary course of business, but simply to victimise the workmen and smash their trade union activities. The several employees protested against the order of transfer and asked the management to withdraw their order. It appears from the evidence, that, in spite of the order of transfer, the workmen were attending the office without joining their new station. The management passed circular dated 19-5-1958, stopping the entry of the employees to the office. Ext. M/37 is a letter dated 21-5-1958 by Shri Raniwal, mentioning, that he was not attending the office since 19-5-1958, that however the transfer orders were *mala fide* and illegal, that he continued to be an employee of the new Delhi office, and that he should be permitted to attend office. Ext. M/35 another letter dated 26-5-1958, that no reply had been communicated. Ext. M/33 is a copy of a letter by the management dated 5-6-1958 to Shri Raniwal, which says, that charge-sheets had been served on the several employees dated

26-5-1958 for not obeying the orders of transfer. The management considered the explanations given as unsatisfactory. The management charged the employees with dis-obedience, and stated that the management had the right to take disciplinary action amounting to dismissal, but that however the management wanted to adopt a conciliatory attitude and gave permission to the employees to join by 10-6-1958. It was intimated, that unless the employee reported himself by that date, it would be presumed, that he was no more interested in the employment with the company, and that such action would amount to repudiation of the contract of service, giving the right to the company to strike off his name from the rolls of the company. Ext. M/34 is the explanation in answer to the letter dated 26-5-1958 by the employees protesting against the order of transfer and calling in question the right of the employer to take any disciplinary action against the employees. Ext. M/32 is the further letter by Shri Raniwal dated 9-6-58 wherein the order of transfer has been characterised as *mala fide*, and not being within the right of the management. It was further stated, that the Secretary was the only competent authority to decide the matter, that it was under his orders, that the order of transfer was made, and that till the Secretary's reply was received, no action should be taken. Ext. M/31 is a copy of the order sent by the Secretary of the Company to Shri Raniwal, informing him, that his name had been struck off from the company's roll for dis-obedience of lawful orders, and that a letter would follow. Ext. M/30 dated 13-6-1958 is the letter to Shri Raniwal, that since he had not obeyed the order of transfer, and even by the extended date, the company was of the view, that he was no longer interested in the employment of the company, and that his name was struck off with effect from 11-6-1958. The several other documents, that have been filed in respect of the other employees, are to the same effect.

29. In the first place, the contention on behalf of the management is, that the several employees repudiated the contract of service by dis-obeying the order of transfer, and that it was only thereafter, that their names were struck off, that the workmen rescinded the contract of service, and that, in these circumstances, it cannot be held, that there was unlawful termination of service by the company. There is force in this contention. The management have the right to transfer their employees from one branch to another provided such order is *bona fide* and is not an act of victimisation. I have found above, that the order of transfer in question is *bona fide*, and is not an act of unfair labour practice or victimisation. The various employees were bound to obey the same. If they characterised the said order of transfer as *mala fide*, illegal, unjustified, and did not obey it, then that amounted to a repudiation of the contract of service under the company. It has been well settled, that the liability of an employee to be transferred from one place to another is an implied condition of service, provided there is no contract to the contrary. On the facts of the present case, there is no contract to the contrary, and, if, the several employees in spite of the condition of service, refused to comply with the order of transfer then that amounts to rescission of their contract of service. Thereby they repudiated the contract of service, and rescinded it. The company was entitled to strike off their names from the rolls in such circumstances.

30. In the second place, I shall assume, that the striking off the names of the several employees from the rolls of the company amounts to termination of service of the several employees. Even then, the termination of service is valid in law and justified. Wilful and unjustified disobedience of lawful and reasonable orders of transfer passed by the company amounts to gross misconduct. No management is bound to tolerate indiscipline and insubordination among its employees. The letters, written by the various employees, breathe an air of defiance and insolence, and no management can put up with such conduct on the part of its employees. The management are entitled to terminate the services of its employees as such conduct amounts to gross misconduct. Moreover, no management need wait indefinitely for its employee to obey a lawful and reasonable order. Even in the view, that the management terminated the services of the employees, I am of opinion that such termination is lawful and fully justified.

Issue No. 4 in I.D. No. 127 of 1958—

31. The workmen are not entitled to any relief.

Issues No. 1 and 2 in I.D. No. 178 of 1958—

32. These issues have not been pressed before me by Shri Bhasin.

Issue No. 6 in I.D. No. 178 of 1958—

33. The next question, that arises, is, whether the several workmen are entitled to re-instatement. In view of the conduct of the workmen, and in view of the fact, that the termination of service is fully legal and justified they are not entitled to re-instatement, or to back wages, or to any other relief.

34. However, Shri Bhasin stated in the course of arguments, that even now the management were willing to take a lenient view, and permit the employees to join in their respective places on the same terms and conditions as before with the benefit of continuity of service, but without any back wages or any other kind of compensation. This is a very fair offer on the part of the management, and the workmen must thank themselves, that the management are willing to take them back in service provided they join at the respective places, to which they were transferred by the order dated 12-5-1958. If the workmen are willing to accept this offer, they shall join their respective places, to which they were transferred by the orders dated 12-5-1958, provided they report themselves for duty within two weeks from the date when this award is published in the Official Gazette. If the employees are willing to take advantage of this offer, and if they join at their respective places, to which they were transferred, under the orders dated 12-5-1958 the company will take them back into service on such day, and continue them in their employ on the same terms and conditions as before, and with the same emoluments, and the period between the date of striking off of the names of these employees and the date when such workmen report themselves for duty will not be treated as break in continuity of service. If however the workmen do not accept this offer and do not report themselves for duty, as directed above, they will lose the advantage of this offer and the termination of their service will stand, and they will not be entitled to any relief.

I.D. No. 127 of 1958.

35. In the result, an award is passed as follows:—

(i) The order of transfer of the several workmen in question is legal and valid, and is justified and is *bona fide*, and it is for *bona fide* trade reasons, and on account of exigencies of service and in the lawful interests of the business of the company. It is not an act of victimisation or of unfair labour practice, and is not *mala fide*, and it is not liable to be set aside, and the workmen are not entitled to be permitted to work in the Delhi Divisional Office, as contended by them.

(ii) The retrenchment of the three workmen in question is legal and justified, and is valid in law, and the said workmen are not entitled to any kind of relief in this connection.

(iii) No order as to costs.

I.D. No. 178 of 1958.

36. In the result, an award is passed as follows:—

(i) The termination of service of the various individuals in question, referred to in the order of reference, is lawful and justified, and they are not entitled to any kind of relief.

(ii) However, the above direction is subject to this proviso, that the said transferred employees, are now given the option and opportunity of obeying the order of transfer passed on 12th May, 1958, and joining their respective stations as indicated in the order of transfer and reporting themselves for duty to the Branch of the company, to which they were transferred, as mentioned in the order of transfer, within two weeks from the date when this award is published in the Official Gazette.

(iii) If the said employees, or any of them, comply with the order of transfer, join, and report for duty at their new stations, as above directed, they shall be taken back into service by the company at the said Branch thereafter on the same terms and conditions and with the same emoluments as before, i.e. as existed at the time of termination of service, and the period between the date of termination of service and the date of reporting themselves for duty shall not be treated as break in continuity of service, and the workmen shall have the benefit of continuity of service between these two dates.

(iv) The workman, or workmen, so joining, shall however not be entitled to any other relief, including relief by way of back wages, or compensation for unemployment between these dates.

(v) If however the said employees do not avail themselves of the above offer, the termination of service will stand, and they will not be entitled to any kind of relief.

(vi) There will be no order as to costs.

(Twenty-Nine pages)

The 25th November, 1958.

E. KRISHNA MURTI,
Central Government Industrial Tribunal
Delhi.

[No. LR11/11(11)/58.]

S.O. 2639.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to the Lloyds Bank Limited, New Delhi and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI

PRESENT:

Shri E. Krishna Murti, Central Govt. Industrial Tribunal.

21st November, 1958

I.D. No. 115 of 1958.

BETWEEN

The Employers in relation to the Lloyds Bank Limited, New Delhi.

AND

Their workmen.

Shri Krishan Khullar—for the management.

Shri H. L. Parvana—for the workmen.

AWARD

By G.O. No. SRO-LRI.10(20)/58 dated the 28th May, 1958, the industrial dispute, between the employers in relation to the Lloyds Bank Limited, New Delhi, and their workmen, has been referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947.

2. The term of reference is as follows:—

Whether Sarvashri Panna Lal Gupta, Phusa Ram Goyal and Paras Ram Garg, workmen of the Lloyds Bank Limited, New Delhi, are entitled to a special allowance of Rs. 50 as prescribed in paragraph 164 of the Award of the All India Industrial Tribunal (Bank Disputes) as modified by section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955?

3. It is alleged in the statement of claim filed by the Lloyds Bank Employees' Union, that the Lloyds Bank Limited, New Delhi, did not implement the modified Sastry Award in respect of the employees attached to its Audit Department, that it did not pay the special allowance to the said employees, as prescribed in paragraph 164(b) of the Sastry Award for Supervisors, i.e. Rs. 50/- per month, that the Union requested the management for proper implementation of the Award in respect of its employees in the Audit Department, namely, Messrs Panna Lal Gupta, Phusa Ram Goyal, and Paras Ram Garg, that the Bank did not pay each of them Rs. 50/- per month from the date of the operation of the Award, or from the date when anyone of the said employees was entrusted with duties and responsibilities in the Audit Department, that the modified Sastry Award came into operation with effect from 1st April, 1954, that the above-mentioned individuals are entitled to receive the supervisory allowance at the

rate of Rs. 50/- per month, in view of the duties discharged by them, and that the management should be directed to pay the special allowance of Rs. 50/- per month to each of the above-mentioned employees concerned.

4. The management plead, that the reference is not valid, that no dispute can arise during the period the Award is in force, that appropriate steps should have been taken to get the Award interpreted, that the workmen have demanded a special allowance of Rs. 50/-, that this is beyond the scope of the reference, that the workmen in question are not supervisors and they do not have the designation of supervisors, that they are not entitled to this special allowance, granted by the Sastry Award, that the employees in the Audit Department do not have the control or supervision over the other clerks, that the audit clerks are engaged in routine checking, that they do not perform work of higher skill and responsibility as compared with the other clerks, that Shri Lohri Lal Khanna is the Supervisor-Incharge of the Audit Department, that his duties are different from those of the Audit Clerks, that their work is of minor importance and no responsibility is attached to it, and that the workmen are not entitled to the amount claimed.

5. The issues, that arise for determination, are:—

(1) Is the reference valid?

(2) Are the workmen entitled to the special allowance of Rs. 50/- per month, as claimed?

Issue No. 1—

6. This is a dispute between the employers in relation to the Lloyds Bank Limited, New Delhi, and their workmen, employed in the branch of the Bank at New Delhi.

7. In the statement of claim filed on behalf of the Lloyds Bank Employees' Union it is alleged, that the three employees in question, namely, Messrs Panna Lal Gupta, Phusa Ram Goyal, and Paras Ram Garg, who are workmen employed in the Lloyds Bank, are entitled to receive a special allowance of Rs. 50/- per month, as prescribed in paragraph 164 of the Award of the All India Industrial Tribunal (Bank Disputes), the said Award being modified by section 3 of the Industrial Disputes (Banking Companies) Decision Act, 1955.

8. At the outset the objection has been raised on behalf of the Bank, that there is no industrial dispute, and that the reference is bad. It is contended that the Award is in force till 31st March, 1959 according to the Industrial Disputes (Banking Companies) Decision Act, 1955, that during the period, the Award is in force, no dispute can arise, and that, therefore, the reference is bad. This is an untenable contention. There is difference between the parties regarding the claim of the three workmen, referred to above, to receive a special allowance of Rs. 50/- per month, which is directed to be paid under paragraph 164 of the Award (which has been referred to in the course of arguments as Sastry Award on either side). The question, whether the three workmen are entitled to receive the special allowance as per the directions in the Award, does amount to an industrial dispute in view of the plea of the management, that they are not entitled to the same. I find, that there is an industrial dispute, and that the reference is valid.

9. The second contention raised is, that the claim, put-forward on behalf of the workmen for payment of Rs. 50/- per month by way of special allowance, is untenable, and is beyond the term of the reference. It may be mentioned in this connection that in the original reference dated 20th May, 1958 the special allowance was stated to be Rs. 40/-. Subsequently however there was of a corrigendum issued, namely LRII-10(20)/58 dated the 16th July, 1958, Ministry of Labour and Employment, Government of India, New Delhi, and the word "Rs. 50/-" was substituted for "Rs. 40/-". There is no dispute, that the Lloyds Bank Limited is an A Class Bank and the amount of special allowance, that is fixed in paragraph 164 of the Sastry Award in respect of certain categories of workmen is Rs. 50/-. If it be held, that the three workmen, named above, are entitled to receive special allowance, then the amount payable to them is Rs. 50/- per month and not Rs. 40/- a month, as per the directions contained in paragraph 164(b) of the Sastry Award. The preliminary objections raised on behalf of the Bank are not tenable.

Issue No. 2--

10. It falls to be determined, whether the three workmen in question are entitled to receive the amount of special allowance as claimed by them. It is common ground, that these three individuals are working in the Audit Department of the Bank. According to the case of the Bank, they do merely routine checking in the Audit Department of the Bank, and such employees in the Audit Department are not entitled to any special allowance, as prescribed in paragraph 164 of the Sastry Award. The contention on behalf of the Union is, that, having regard to the responsibilities of and the duties performed by the three individuals in question, they are entitled to receive special allowance, as claimed.

11. In paragraph 163 of the Sastry Award (page 50), it is stated, that, with reference to special allowances, an increase would be justified in certain cases of special posts in certain branches. Then the Award proceeds to enumerate the categories for which special allowance should be given, with the observation, that it was open to the Bank to provide such allowance even in respect of categories which were not included in the Award. In paragraph 164(b) there are various categories for whom special allowances are fixed. The highest amount of special allowance fixed in the award for an A Class Bank is Rs. 50/-, and category 9 includes Supervisors, Superintendents, sub-accountants, departmental-in-charges, employees in charge of treasury pay offices. There is a note, that in case where an employee comes within more than one category he should be entitled to the highest rate applicable to him.

12. The contention on behalf of the Bank is, that the Audit clerks are not included within any of the categories enumerated above, and that they have got no justification to claim the allowance. It is further pointed out, that before the Labour Appellate Tribunal the contention was raised, that Checking Assistants were also entitled to special allowance, but that this contention was not accepted. Attention is drawn by Shri Khullar to the judgment of the Labour Appellate Tribunal in paragraph 129, which deals with the contention of Shri Dudia, who stressed the case of Typists, Receiving and Paying Cashiers, and Checking-Assistants. In paragraphs 129, 130 and 131 the contention, put-forward in regard to Typists, Receiving and Paying Cashiers and Head Cashiers was disallowed. There is no express decision by the Labour Appellate Tribunal with reference to Checking Assistants. Apart from the above, it is contended by Shri Parvana for the workmen, that the said contention was put-forward by Shri Dudia only in respect of the employees of the Imperial Bank of India, and attention is drawn in this respect to paragraph 121, which deals with the contention raised on behalf of the employees of the Imperial Bank of India, not only for payment of special allowance to various categories of workers, including Checking Assistants, but also for awarding of higher rate of special allowance to various categories of employees referred to in paragraphs 164 and 169 of the Award. I see nothing in paragraphs 129, 130, and 131 of the judgment of the Labour Appellate Tribunal, warranting the contention put-forward by Shri Khullar in the matter of Checking Assistants. In my opinion, the decision of the Labour Appellate Tribunal cannot be taken as excluding the claim put-forward on behalf of the three workmen employed in the Audit Department.

13. Granting, that the employees in the Audit Department of the Iloyds Bank Limited cannot be expressly brought within the list of employees enumerated in category 9 in paragraph 164(b) of the Sastry Award, it cannot be concluded straightaway therefrom, that the claim to special allowance on their behalf must be rejected. On the contrary, the observations in the Sastry Award are important, and cannot be over-looked. In paragraph 165 (page 51) it is observed, that, with regard to some of these categories, there was an acute controversy between the parties, whether they fell within the class of persons coming under the term "workman". In paragraph 166 it is observed as follows:—

"We have gone through the list of various designations for whom special allowances have been asked for in the various demands submitted by the different unions. We consider that the categories we have set out above are entitled to special allowances and with regard to others we do not think any compulsory directions need be given."

In paragraph 167, in dealing with Accountants and Sub-Accountants, it is stated as follows:—

"There will however be incumbents of such posts, though going under the dignified designation of accountants who are in reality only senior clerks doing higher type of clerical work involving an element of supervision over other clerks as part of their duties. In such cases

where they can properly be regarded as workmen the minimum allowances which we have fixed for sub-accountants would equally apply to them."

In paragraph 168, dealing with Junior Assistants and Senior Assistants, it was observed, that these categories also should be entitled to the minimum special allowance, which had been prescribed for the appropriate kind of work, during such periods as they were incharge of such kind of work, because their work fell under clerical work, though of a higher type, and irrespective of their designation. It is further observed in paragraph 168 as follows:—

"It is not possible to give a more precise or detailed direction in this matter. We trust that the banks will act in the true spirit of these directions."

14. Now turning to the decision of the Labour Appellate Tribunal, we have discussion about the special allowances at pages 79, 80, and 81 of the judgment. Paragraph 140 of the judgment is important, and it is stated therein as follows:—

"In the course of the hearing before us it appeared that the nomenclature by which particular categories of employees are described differs from bank to bank. With a view to avoiding disputes between banks and their employees as to whether a particular category of employees is entitled to a special allowance under the Award or not, we asked the banks to supply us with statements of the different names given to categories of employees for whom special allowances have been provided by the Sastry Tribunal." One of the statements filed was by the Lloyds Bank, which has been marked in these proceedings as Ext. M/60. In Ext. M/60 in connection with category 9 in paragraph 164(b) of the Sastry Award, the Bank stated, that the said provision was not applicable to any person of the Bank. The column with reference to alternative designation is left blank. Towards the end of paragraph 140 page 83 it is stated as follows:—

"Those equivalents are helpful but do not exhaust the subject; and in the absence of data on the record we must leave it to the banks to pay the appropriate allowances having regard to the duties and responsibilities of a post."

In my opinion, the question, whether a particular employee of a bank is entitled to special allowance, will depend on the duties and responsibilities of the post which he holds. The particular designation applicable to him will not be conclusive of the matter. On the facts of the present case, the circumstance, that the audit clerks do not bear the designation employed in category 9 of paragraph 164(b) of the Sastry Award, is not conclusive. The contention, therefore, of the Bank, that, when the audit clerks are not expressly within the categories of employees enumerated in paragraph 164(b) of the Sastry Award, they are not entitled to the special allowance claimed, is untenable.

15. The question for determination is, whether the duties and responsibilities of the posts of the three employees in the Audit Department are such as to entitle them to special allowance. The contention on their behalf is, that they are performing duties involving higher skill and responsibility, that their duties involve scrutiny and checking of the work done by other employees of the Bank, and that they are really discharging duties of a supervisory nature. It is urged, that they have to verify, scrutinise and check the various daily transactions of the Bank, that they have to certify the correctness of the several entries, that numerous ledgers, registers, etc. are checked and scrutinised by the three individuals in question, that they put their initials certifying the correctness of the entries, that the performance of these duties involves much responsibility, and that their checking is necessary to avoid double payments, over-payments, wrong payments, and frauds in the matter of transactions of the Bank. It is further urged, that the ink, used by the Audit Department, is different from that used in all the other departments, that the Audit Department uses green ink, and that the employees in the Audit Department put the last tick, so far as the New Delhi Branch of the Lloyds Bank is concerned. It is urged by Shri Parvana, that the three individuals in question, though termed as audit clerks, are really performing duties of a supervisory nature, that they are in reality doing higher type of clerical work, involving an element of supervision over the other clerks as part of their duties, and that, therefore, the provisions for payment of special allowance will equally apply to them. On the other side it is contended by the Bank,

that the audit clerks are merely engaged in routine checking, and that their duties do not involve any higher skill and responsibility. They merely perform routine checking and initial the checking. They are not responsible for mistakes, and the responsibility for any mistake would fall on the employee who passed the original entry. It is further alleged, that the checking of pay-sheets, medical bills, over-time, etc. is done by the audit clerks, but the responsibility for their correctness rests with the officers. It is also pointed out, that Shri Lohri Lal Khanna is the Supervisor Incharge of the Audit Department, that the three workmen work under him, that he is responsible to the Manager, and that the work done by the audit clerks, which is merely repetitive, is only of minor importance.

16. With reference to the duties performed by the audit clerks, Exts. W/1, 3, and 5 have been relied upon. Ext. W/1 sets out the duties of Shri Paras Ram Garg, Ext. W/3 of Shri Panna Lal Gupta, and Ext. W/5 of Shri Phusa Ram Goyal. On the evidence, the lists contain substantially a correct version of the several duties performed by the concerned workmen. In this connection I may refer to the evidence of Shri Lahori Lal Khanna, the Assistant Incharge of the Audit Department. According to his evidence, the duties specified in Ext. W/1 are all done by Shri Garg except Item No. 8, which relates to checking of half yearly interest in (1) S. B. Ledger, and (1) current account ledger. With reference to Ext. W/5, it is admitted, that Shri Goyal performs all the duties mentioned therein. With reference to Ext. W/3, Shri Gupta performs all the duties therein mentioned except, that in Item No. 3(12) the words must be "fixed loans" and not "fixed deposits". It is clear from the evidence, that Exts. W/1, 3, and 5 set out correctly in a large measure the duties performed by the several individuals.

17. However, the contention on behalf of the Bank is, that these duties are not supervisory. According to the evidence of Shri Lahori Lal Khanna, MW1, the nature of the work done by the clerks is not supervisory. When they check, there is simple checking and no skill is required. They only compare the entries in the voucher with the entries in the ledger, and calculate and recalculate the figures. Regarding the balancing, the balances are compared in the several books monthly and weekly. He further states, that the work done in the Audit Department is not done by rotation. In cross-examination he says, that, if there is no date in a voucher, notice is taken about it. If the amount in figures and words differs, they do not take any notice. The audit clerk sees, that the voucher is signed by the correct authority, and that the entry is posted on the correct side. He admits, that there is no other procedure prescribed for balancing the accounts and checking the interest than the work which is done in the Audit Department. He further says in cross-examination, that he passed the current account and saving bank cheques. He however explains, that, when in other departments he is asked to do this work, he does this work. This is not generally his duty as Assistant Incharge of the Audit Department. He further says, that by taking notice, he means, that the audit clerks get the date put and corrections made, by the person responsible. MW2, Shri M. A. Khan, is a Covenanted/Officer of the Bank, and, according to his evidence, the clerks in the Audit Department are like any other clerks. There are important matters like securities and limits regarding advances, and they do not do any checking in regard to this matter. They do not do any checking in regard to safe—in and out register. The Audit Department does not supervise the work of any other department, and no clerks are under its control. No directions are given to other clerks. He explains, that the audit clerks compare the entries in the vouchers on the following day, and check whether there are any errors, but they cannot rectify the mistake. In cross-examination he admits, that there is no post going by the name of Supervisor or Superintendent in the Bank, but he adds, that the Assistants Incharge are known as Supervisors. He admits the filing of Ext. M/60. When his attention is drawn to Exts. M/58 and 59, which contain a list of the special allowances paid to certain categories of staff in the Bank, Mr. Khan admits that the work done by the persons, whose names are found in Exts. M/58 and 59 is compared by the clerks in the Audit Department. If there is any difficulty or discrepancy found by them, they will take it to the notice of the Assistant Incharge of the Audit Department. The person responsible for the mistake is made to correct it in his own hand. He states, that the audit clerks do not certify "checked and found correct". When his attention is drawn to Ext. M/35, he admits, that it bears the endorsement "checked".

18. On behalf of the workmen the evidence is to the effect, that the entire work of audit is divided into four parts. Shri Lahori Lal does one-fourth of this work, and the rest is done by the others. The entire work is done by rotation

by all the four men employed in the Audit Department. Shri Paras Ram Garg, W.W. 1, says, that, if a mistake is detected in audit, the attention of the clerk concerned is drawn to it and the mistake is got rectified. He says, that sometimes the mistakes, that are detected, are due to wrong Arithmetic. Sometimes wrong amounts are entered. He checks some of the work on the very day of the transaction, like pay, overtime, continuation statements of their accounts", registered mail contents, postage of registered letters. His further evidence is, that Items No. 4, 5, and 6 in Ext. W/1, are attended to on the same day, whereas the remaining items are attended to on the next day, or on the subsequent days depending on the nature of the business or transactions. He says, that he supervises the work of all the clerks in the office, but he has no other control over them, except to detect mistakes, and to get them rectified. According to the evidence of Shri Gupta, he is checking the dates, the amounts, the words and figures, the authority of the man passing the document, and they are all scrutinised. He also checks, whether the authority of the person has been properly exercised, or not, and also whether the amounts are correctly posted in the book. His further evidence is, that the work, which Shri Lahori Lal does, is the same as that performed by the other three. Shri Gupta avers that the whole clerical staff is under his control. Those in the Audit Department have authority to direct the correction. Such authority is not inwriting. According to the evidence of Shri Phusa Ram Goyal, after the entry is passed in audit, it straightaway goes to the Record Room. Their work is not counter-signed or checked by any one else in the Bank except by the General Inspector, who comes for inspection. When those in the Audit Department check and certify, that is the final disposal. They not only check whether the words and figures and date are correct, but also the authority of the person passing the voucher, whether the limit of the authority has been exceeded, or whether the amount is within its limit, and also whether the amount is within the security limit. He states, that checking is not merely comparison. It involves very many more things, and by long experience they are able to detect mistakes. The Audit Department checks the work of Supervisors. The Audit Department checks the work of all the Departments without exception. Green ink is used for checking, and that ink is not used for any other purpose, and they cannot do checking work without this green ink.

19. A number of documents have been relied upon in this connection. Ext. M/1 to 42, are extracts from various books, showing the manner in which the three workmen check the various books and ledgers and entries made by several members of the establishment of the Bank. These documents have been treated as confidential and the contents thereof cannot be disclosed. Briefly stated, Exts. M/1 and 2, show comparison of the pay-sheets. Ext. M/4 and 5 relate to the checking of bills payable, vouchers, with the corresponding entries in the bills payable registers, Exts. M/6 to 13 show, that the several vouchers were checked with the corresponding entries in the concerned registers. Exts. M/14 to 25 have been relied upon to show the important character of the work that is being performed by the workmen. It is pointed out, that there were various differences which became apparent on checking of the accounts, and that transfers were effected to adjust the differences detected. Exts. M/24 and 25 relate to the customer's liability and endorsement. It is urged, that the entry was on the credit side instead of its being made on the debit side. Ext. M/27 relates to comparison of the amounts in the vouchers with the entries in the manager's cheque Book register. Ext. M/28 shows the comparison of balances in branch account ledger with the entries in the balance books. Exts. M/31, 32, and 33 show, that audit compares the vouchers with the comparative entries in the several registers. Ext. M/34 shows, that the value of the stamps affixed on the letters was compared with the value of the stamps on the postage registers. Ext. M/35 relates to the checking up of entries regarding mail received, with the departmental books. Exts. M/39 and 40 are filed to show the comparison of entries in long Book sheets with the current and S. B. Accounts summary sheets. It is also pointed out on behalf of the workmen, that in some of the entries the correct amounts in terms of sterling or dollars were checked. Exts. M/36 and 37 are extracts from loan ledger, and audit had to see, that the amount towards interest was correctly entered. The documents, Exts. M/43, 44, 48, 49, 51 and 52, are the instructions as to how the Audit Department should check the several items in the registers with the relevant vouchers, etc.

20. From the evidence, that has been adduced, it is obvious, that the three individuals in question have been performing duties involving higher skill and responsibility than other clerks. I am unable to up-hold the contention on behalf of the management, that the work, that they have been doing, is merely routine checking of entries. It is not true to say, that a great part of the work is repetition, based on the assumption, that when two persons do the same work, and arrive at the same result, the result is *prima facie* correct. Even granting, that

there is repetition, it involves responsibility, and a vast amount of experience to do the work, and especially higher skill than what is expected from merely a routine clerk. The checking and scrutinising is not such a routine job as it is made out to be. As contended on behalf of the workmen, theirs is the final check, and their checking finally disposes of the transaction in question. Their work involves responsibility, skill, and vigilance of a much higher standard than what is required of an ordinary routine clerk. They are in fact supervising the work of various persons employed in the Bank. It may be, that they by themselves cannot make the necessary corrections, but they get the corrections done by the individuals concerned. The checking and re-checking and scrutinising, that is done by the individuals concerned, does involve supervision over the persons whose work is checked.

21. In this connection Shri Parvana has relied upon the various dictionary meanings given to "audit", "checking" and "supervision". In Webster's English Dictionary "audit" is said to be as follows:—

- "1. An examination in general; but specifically, an examination of an account or of accounts, with the hearing of the parties concerned, by proper officers, or persons appointed for the purpose, who compare the charges with the vouchers, examine witnesses, and state the balance.
2. The result of such an examination, or an account as adjusted by auditors; a final account..."

One of the meanings of "check" is as follows:—

"To compare with a counter-part or authority in order to ascertain correctness or authenticity, as an account or other paper."

"Supervise" is defined as follows:—

- "1. To oversee for direction; to superintend; to inspect.
 2. To look over so as to read; to peruse." "Supervise", noun.—Inspection.
- "Supervision", noun—the act of overseeing; inspection superintendence."

22. It is clear, that "audit" means an examination of accounts in general, i.e. an official examination, and authentication of accounts. The audit clerks in the Audit Department inspect or oversee or supervise the several accounts, and registers and vouchers, and point out whatever mistakes there are, and get them corrected. Such an internal audit is absolutely necessary in the interests of the Bank itself to avoid over-payment, under-payment, frauds, etc. The three individuals in question working as internal auditors are engaged in overseeing and inspecting the accounts, and, therefore, they are engaged in supervisory functions. They supervise the work of almost all the persons in the establishment with a view to ensure the correctness and authenticity of the accounts. Even though they are not termed Supervisors, they are engaged in inspection of accounts and the exercise of supervisory functions and are in consequence entitled to a special allowance fixed for exercise of such functions.

23. It is however argued, that these individuals are not exercising any directional or controlling authority, that only persons, who exercise such authority, can be deemed supervisors, that, in these circumstances, they are not exercising supervisory functions, and, therefore, they are not entitled to the special allowance claimed. The test of exercising of directional and controlling authority has been held to be of doubtful validity. We are concerned with the nature of the duties performed by the workmen in question. It may be, that Shri Lahori Lal is in charge of the Audit Department. This however does not make any difference to the fact, that the three workmen are exercising supervisory functions, while engaged in their duties as internal auditors. It is important to note, that, as mentioned in the statement of claim, "audit" means the last tick so far as the several transactions of the Bank are concerned. In the decision in 1955 I LLJ 608 a "checking inspector" employed in a bus, who was engaged in the duty of checking tickets, was held to be exercising supervision, and discharging duties of a supervisory nature.

24. It is however argued on behalf of the Bank, that the clerks in the Audit Department have not got the power of disbursing any amount. Exercising of supervisory functions does not depend merely on the authority to disburse monies of the Bank.

25. It is next argued, that Head-Clerks, Assistant Cashiers, etc. are not provided with the same amount of allowance, as is admissible to the employees in category 9, that it cannot be held, that the audit clerks are superior to Head-Clerks, Head-Cashiers, etc. for whom comparatively a low rate of special allowance is fixed, and that, in these circumstances, it cannot be contended, that the three employees in question are entitled to special allowance of Rs. 50 a month. The above argument is not tenable. The test is the kind of duties performed by the employees in the Audit Department, and the degree and responsibility attached to them. In my opinion, the audit clerks are senior clerks, doing a higher type of clerical work, involving supervision over the work of other clerks as part of their duties. In these circumstances, they are entitled to the special allowance fixed for sub-accountants, etc. as envisaged in paragraph 167 of the Bank Award. The argument based on the disparity in the amount of allowance fixed is not tenable in view of the directions in the Award. I find, that the three workmen in question are entitled to recover from the Bank special allowance at the rate of Rs. 50 per month.

26. The question next is about the date from which they are entitled to recover the said special allowance. The exact date or dates from which the workmen have been discharging duties as employees in the Audit Department have not been disclosed in the claim statement, or in the evidence, except that Shri Phusa Ram Goyal has admitted, that he is doing audit work since 1955. In the statement of claim it is prayed, that each of the three individuals should be paid the special allowance at the rate of Rs. 50 per month from the date they began to perform duties in the Audit Department of the Bank, and, in case they were performing such duties prior to the Award coming into force, then from 1st April 1954, the date of commencement of the Award. This is a reasonable request, and must be allowed.

27. In the result, an award is passed, directing the management of the Lloyds Bank Limited, New Delhi to pay to each of the three individuals concerned, namely Sarvashri Panna Lal Gupta, Phusa Ram Goyal, and Paras Ram Garg, special allowance at the rate of Rs. 50 a month from the date of commencement of the Sastry Award, i.e. 1st April 1954, or from any subsequent date on which any one of the said employees was entrusted with the duties and responsibilities in the Audit Department and such special allowance shall be continued to be paid by the Bank so long as the three aforesaid individuals are continuing to discharge the said duties and responsibilities in the Audit Department of the Bank.

28. There will be no order as to costs.

(Twenty pages).

The 21st November, 1958.

E. KRISHNA MURTI,

Central Govt. Industrial Tribunal, Delhi.

[No. LR/II/10(20)/58.]

K. D. HAJELA, Under Secy.

New Delhi, the 10th December 1958

S.O. 2640.—In pursuance of clause (b) of sub-paragraph (1) of paragraph 3 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby nominates Shri A. K. Basu, Deputy Financial Adviser to the Government of India in the Ministry of Labour and Employment, to be a member of the Board of Trustees (Central Board) constituted under the said Scheme in the vacancy caused by the resignation of Shri A. V. Venkateswaran and makes the following further amendment in the notification of the Government of India in the Ministry of Labour S.R.O. 1861, dated the 31st October, 1952, namely:—

In the said notification, for the entry "4. Shri A. V. Venkateswaran Joint Secretary to the Government of India, Ministry of Finance, New Delhi". the following entry shall be substituted namely:—

"4. Shri A. K. Basu, Deputy Financial Adviser to the Government of India, Ministry of Labour and Employment, New Delhi".

[No. PF/II-1(8)/58.]

New Delhi, the 12th December, 1958

S.O. 2641.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri Md. Osman Ali to be an Inspector for the whole of the State of Mysore for the purposes of the said Act and of any scheme made thereunder, in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oil-field or a controlled industry.

[No. PF.I./31(465)58.]

P. D. GAIHA, Under Secy.

ORDER

New Delhi, the 11th December 1958

S.O. 2642.—In pursuance of regulation 103 of the Coal Mines Regulations, 1957, the Central Government hereby directs that the works, specified in column 1 of the Schedule below shall be public works for the purposes of the said regulation and further directs that a copy of the application for permission in relation to these works required to be submitted to the Chief Inspector of Mines under sub-regulation (1) of the said regulation shall also be sent to the authority specified against the respective works in column 2 of the Schedule.

SCHEDULE

1	2
(a) Aerial Ropeways	The public authority owing the Aerial Ropeway.
(b) High-tension transmission lines.	The public authority owing the transmission lines.
(c) Water and gas 'mains' above 60 cm. diam.	The public authority owing the water or gas 'main'.

[No. F.MI-1(94)58.]

S. RANGASWAMI, Under Secy.